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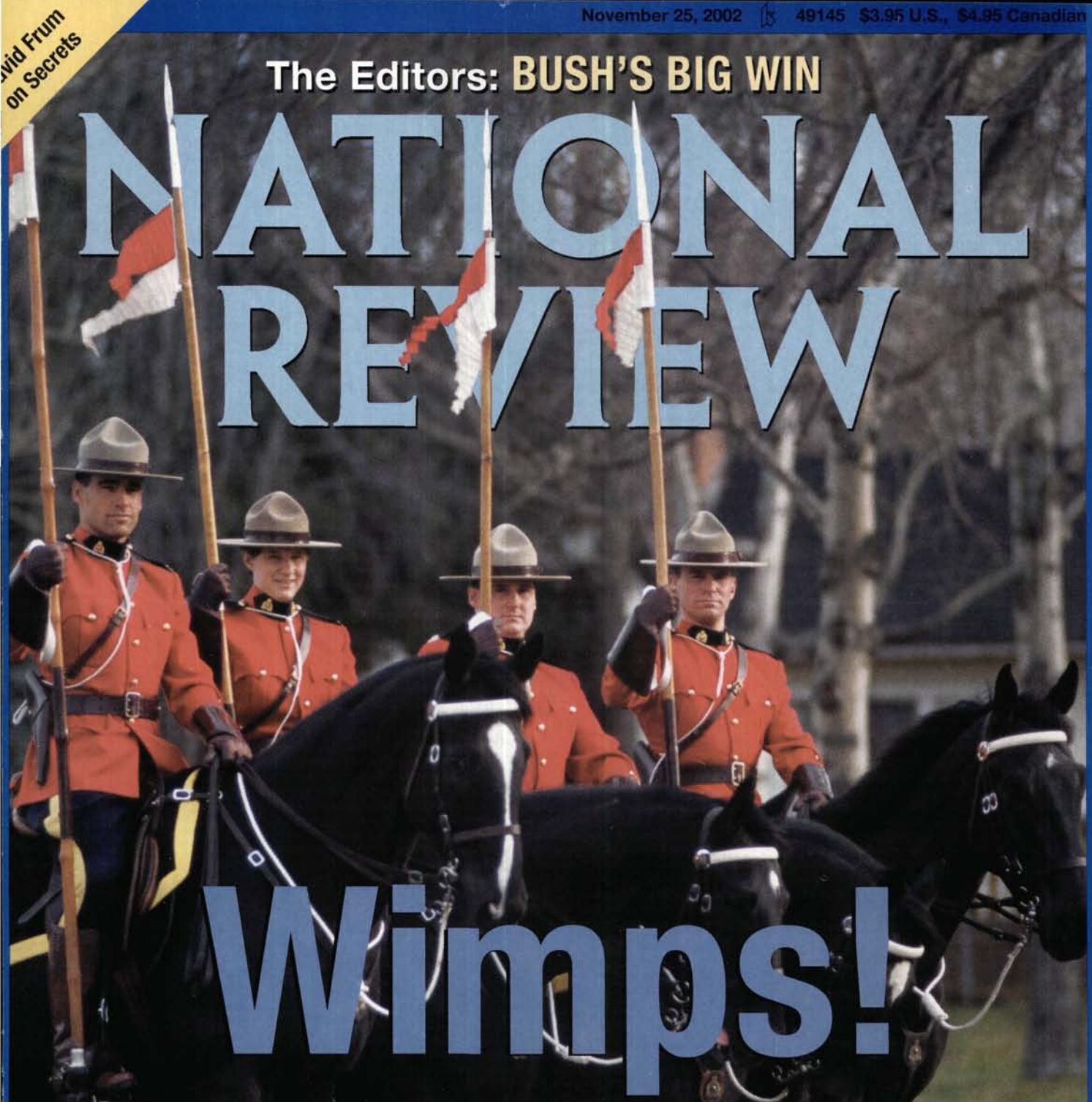
David Frum on Secrets

The Editors: BUSH'S BIG WIN

NATIONAL REVIEW



Wimps!

JONAH GOLDBERG on Canada's whiny and weak anti-Americanism

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■ LETTERS ■

A FLORIDA RECOUNT

We were disappointed by Bernadette Malone's wildly inaccurate depiction of the Florida Education Association ("The Zeal Against Jeb," Nov. 11).

Ms. Malone contends that our association took out a mortgage on one of our buildings and used $1.7 million in equity to finance our support for Bill McBride, the candidate challenging Gov. Jeb Bush. That contention is totally wrong.

Our association came into existence in 2000, upon the merger of the Florida Teaching Profession/National Education Association and the Florida Education Association/United. Prior to the merger there were two budgets, two headquarters, and two mortgages. We did take out a mortgage in December of 2000, but it was merely to switch from one financial institution to another and was for the balance only. No cash changed hands. That year the organizations filed separate reports with the U.S. Department of Labor; the following year just one report was filed. This explains the budget discrepancies: The first year listed only the property owned by the former FTP/NEA and ignored the filing by the former FEA/U.

Although we have opposed the governor's policies, there was no "hit" authorized on him at our assembly in May 2001. Neither will union dues be raised to finance our support for McBride.

Aaron Wallace, Chief of Staff
Florida Education Association
Tallahassee, Fla.

BERNADETTE MALONE REPLIES: *The FEA may indeed have merged two mortgages on their buildings, as Mr. Wallace claims. But it's difficult to tell from public records, because the FEA's 990 tax form, filed with the IRS, says there was no existing mortgage on the second headquarters that Mr. Wallace mentions. FEA spokesman Mark Pudlow says that's because the second building is owned by a holding company. Public records also show the FEA took out a $1 million line of credit when it signed its new mortgage in December 2000. But Mr. Pudlow says the FEA regularly takes out lines of credit to ensure that his organization can get through the summer months without revenue from teachers' dues.*

Making this story all the more difficult to understand is the response FEA president Maureen Dinnen gave me when I asked her point-blank if her union had indeed mortgaged its building to contribute funds to Democratic gubernatorial nominee Bill McBride. She essentially confirmed the rumor circulating around Tallahassee, and maintained there was nothing illegal or shameful about mortgaging FEA headquarters for a candidate.

"Maureen was probably a little confused that day," Mark Pudlow suggested in a follow-up conversation. "She really just knows the broad outline of things." Understandably, the rest of us are a little confused, too. The paper trail raises as many questions as it answers, and Ms. Dinnen's responses in our October 21 interview contradict the subsequent statements of her staff.

SISTER ACT

I could hug Jonah Goldberg ("And Another Thing . . .," Oct. 28) for having the guts to put the whining sisterhood coalition in its place!

If feminists want to raise their clubs and whack a ball down the fairways, let them form their own golf club, preferably in Kabul, Afghanistan, where lives the truly oppressed female. Perhaps then our stalwart males could come out of their closets and resume all the gestures of chivalrous behavior toward us.

Come on, guys. Don't leave Jonah and Hootie Johnson to carry the torch alone!

Claire Nenin
New York, N.Y.

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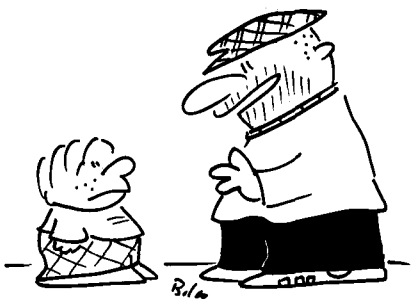
■ FOR THE RECORD ■

■ In Fox News poll, President **Bush** earns 60 percent approval rating; 62 percent support military action to disarm Iraq and remove **Saddam Hussein** from power. . . . Bush: "If the United Nations does not have the will or the courage to disarm Saddam Hussein, and if Saddam Hussein will not disarm for the sake of peace, for the sake of freedom, the United States will lead a coalition and disarm Saddam Hussein." . . . Bush says Senate has "lousy record" on confirmations, adds: "The judicial confirmation process does not work as it should. . . . Nominees are too often mistreated, votes are delayed, hearings are denied and dozens of federal judgeships sit empty." . . . Of Bush's 32 appeals-court nominees, Senate has confirmed only 14, and 15 have waited more than a year for hearing. . . . Bush campaigns in Tennessee, which favored him in 2000 election despite being **Al Gore**'s home state: "I got a fond spot in my heart for Tennessee, if you know what I mean." . . . In Zogby poll, 49 percent say Bush deserves reelection and 35 percent would support "someone new." . . . Bush, in Georgia: "Let me give you fair warning, let me help you break the code of Washington, D.C. When you hear them say, 'Oh, we might need to revisit the tax cuts,' that means they're fixing to get in your pocket."

■ **Newt Gingrich**, on ABC: "In an ironic way, Senator **Daschle**, by becoming majority leader, took on a burden which cluttered him and which made it harder for him to offer a clean set of national proposals that people could focus on because it was too easy for the media to come back and just say to him, 'Why aren't you passing them if that's what you believe in?'" . . . House minority leader **Dick Gephardt** on trying to win a majority, in *New York Times*: "You know, when I started this in '95, I thought, 'I'll probably win the House back in one term; give me one term to win it back.' It's a lot harder than that. It is really hard." . . . Boston is front-runner to hold Democratic National Convention in 2004, says *Crain's Insider*, with Republicans looking at New Orleans, New York, and Tampa.

■ Deputy defense secretary **Paul Wolfowitz** says Hussein "was a little surprised he could be caught trying to murder a U.S. president and get off as lightly as he did," according to UPI. . . . Secretary of defense **Donald Rumsfeld** awards DOD's Medal for Distinguished Public Service to Sen. **Jesse Helms** (R., N.C.). . . . Bush selects poet and critic **Dana Gioia** to head National Endowment for the Arts. . . . "He is the E. F. Hutton of economic growth," says Rep. **Ric Keller** (R., Fla.) of the Club for Growth's **Stephen Moore** (also an NR contributing editor), in *National Journal*. "When he talks, conservatives listen." . . . Former Rep. **Vin Weber** (R., Minn.) on memorial service for late Sen. **Paul Wellstone** (D., Minn.), in Minneapolis *Star Tribune*: "What a complete, total, absolute sham. . . .



"Education is important, son, but what you really need in life is means, motive, and opportunity."

[The Minnesota Democratic party] clearly intends to exploit Wellstone's memory totally, completely, and shamelessly for political gain. For them, Wellstone's death, apparently, was just another campaign event."

■ **Bill Clinton**, on Black Entertainment Television: "I've been terribly concerned that a lot of younger people who didn't go through the civil rights movement might have been so turned off by what happened in Florida . . . by all the black votes that weren't counted, that they might just throw up their hands and say, 'What difference does it make?'" . . . More Clinton, at Florida rally: "I've seen black people turned away from the polls in droves." . . . Rep. **Carrie Meek** (D., Fla.) calls Clinton "the honorable brother." . . . Democratic strategist **Donna Brazile**, in *Washington Post*: "We're going all Clinton, all the time to motivate black voters." . . . **Jesse Jackson** on whether he has "given up presidential politics forever," on MSNBC: "Yes."

■ In *Newsweek* survey of Democrats, Al Gore leads race for 2004 nomination with 25 percent support, followed by Sen. **Hillary Clinton** (D., N.Y.) with 23 percent, and Senate majority leader **Tom Daschle** with 10 percent. . . . Hillary Clinton says Bush was "selected" president, not elected, in *Newsweek*. . . . More Hillary, on Bush Republicans: "You have got to hand it to them. These people are ruthless, and they are relentless." . . . Gore distributes funds raised for 2000 recount committee to Democratic candidates in Florida, Iowa, New Hampshire, and Tennessee. . . . Gore agrees to host *Saturday Night Live* on December 14.

■ **Vladimir Putin**: "Russia will never make any deal with terrorists nor will it give in to any blackmail," and it will respond "everywhere where terrorists themselves are located, organizers of these crimes, their ideological and financial sponsors. I stress: whatever their whereabouts." . . . Alleged Mexican drug lord **Benjamin Arellano Felix**, during prison interview with *Washington Post*: "If drugs were like cigarettes or alcohol, there wouldn't be a black market. It would put an end to the capos." . . . Chile, El Salvador, and Honduras join United States in pushing for free-trade zone in the Americas, with Venezuela strongly opposed and Brazil uncertain. . . . China says it will begin manned space flight in three years, followed by construction of space station and lunar exploration.

■ **Jon Stewart** on *Daily Show*: "From his trip to Crawford, Texas, [Chinese premier] **Jiang [Zemin]** traveled to San Francisco where mayor **Willie Brown** gave him a key to the city, which is home to more than 150,000 Chinese residents. Jiang immediately used the key to lock them all up." **NR**

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THE WEEK

■ Minority leader Tom Daschle. Ranking minority member Jim Jeffords. Senator Jim Talent. Judge Miguel Estrada. . . . We could go on, but that would be gloating.

■ So *now* Arkansas voters start caring about marital fidelity in their politicians.

■ Conservatives have had their differences with Elizabeth Dole over the years, but after the campaign she just ran it would be churlish to bring them up. Sen.-elect Dole ran a principled conservative campaign, and even a brave one. She was unambiguously pro-life and pro-gun rights, and she defended free trade and personal retirement accounts—two issues where her Democratic opponent flipped to the opposite positions in an attempt to pander to the presumed views of North Carolina voters. Conservatives often complain about Republicans who "grow in office," i.e., become more liberal. Let's hope Mrs. Dole keeps shrinking.

■ Mrs. Dole wasn't the only candidate who ran on personal retirement accounts and won. Pat Toomey stood his ground and won re-election to the House from a senior-heavy Pennsylvania district that Gore carried in 2000. Kentucky House member Anne Northup went on the offense on the issue, and also won. Chris Chocola and John Sununu overcame Democratic attacks on them for supporting personal accounts to win, respectively, a House race in Indiana and a Senate race in New Hampshire. The Republicans who repudiated personal accounts (or arguably did so), on the other hand, mostly lost their elections: Forrester in the New Jersey Senate race, and Gekas, Soaries, and Clayburgh in House races. The election, in other words, went as well as it could possibly have gone for reform advocates short of unseating every Democrat in Congress. This may not be a mandate for Republicans to enact Social Security legislation next year, but the lesson for them is clear: Supporting personal accounts is a winning strategy for them, and opposing them isn't.

■ Voters decided to send the real deal to work with the president rather than his election-season false friends, the ones who posed as Bush Democrats on the stump. Senate Democratic candidates in Missouri, Georgia, South Carolina, Texas, and Tennessee failed to convince the home folks that Bush could count on them, despite the hundreds of ads that claimed they stood shoulder to shoulder with him on tax cuts, national defense, and the war. The Dems' "George and Me" ads probably reminded the public that they too liked the president—enough to send him reliable Republican allies.

■ Dick Gephardt, after failing in four straight cycles to take back the House, is likely to step down as minority leader. Gephardt, in some respects, did a difficult job skillfully. He held together a Democratic caucus spanning from Charlie Stenholm to Maxine Waters. Any evaluation of his legacy has to include his heartfelt change of perspective after 9/11 that made him an early, intrepid supporter of Bush's Iraq policy. Now the minority-leader post could well pass to Nancy Pelosi, a latte liberal from San Francisco who campaigned against old-school Democrat John Dingell in his primary this year and represents the Democrats' most U.N.-smitten instincts on matters of war and peace. Her rise would mark a shift to the left for House Democrats, a trend that is bad for Democrats and the country—but, quite possibly, good for Republicans.

■ The election results carried much obvious good news for conservatives. Less obvious, however, was a series of victories by a younger generation of candidates who will provide political leadership for years to come. Bill Owens of Colorado—America's best governor—won a second term with a 30-point win, showing that vigorous conservatism can carry large majorities when it's married to an attractive messenger. In South Carolina, Mark Sanford ousted an incumbent governor with a pledge to phase out the state income tax. Perhaps no individual Senate race was more pleasing than Jim Talent's victory in Missouri; he is a smart conservative with a bright future in the GOP. New Hampshire's John Sununu has a chance to become the Senate's next Phil Gramm. Florida's outstanding speaker of the house, Tom Feeney, displayed his remarkable skills during the 2000 post-election fight; he will now represent a new congressional district. New Jersey's Scott Garrett, whose primary challenges convinced moderate Republican Marge Roukema to retire, is a strong conservative in a seat tailored for a Republican. These are names we hope—and expect—to be hearing again.

■ The failure of Bill Simon to capture the governorship of California was a disappointment to conservatives, who had hoped for months that this good and serious man would upset Democrat Gray Davis. Simon surely made mistakes, but running a campaign based on principled conservatism was not one of them. He ran ahead of most of his GOP ticketmates and came much closer than many had expected to beating a loaded incumbent in one of the country's most Democrat-friendly states. Simon also delivered one lasting blow to his opponent. California's governor was once a 2004 hopeful; a string of self-inflicted wounds, now coupled with the Simon scare, probably knocks him out of the picture.

■ By Election Day, Democrats knew they had an image problem. Their lawsuit in Minnesota—in which they tried unsuc-

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★The list could go on and on, including its effects on the skin, nervous system, distribution of body fat, et al. But, let's look at how it works in two vital respects – as an emulsifier and as a brain tonic.

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cessfully to stop absentee balloting—was just the latest in a growing list of instances in which they've gone to court to circumvent election laws they didn't like. They did it in New Jersey, when they wanted to replace the faltering Robert Torricelli with Frank Lautenberg. And of course they did it in 2000 in Florida when they wanted to ignore the state's statutory time limit on election certification. In light of all that—plus the Democrats' boast that they were sending 10,000 lawyers to election hotspots around the country—the public was getting the idea that the party has become particularly litigious when it comes to trying to win elections. So in response, the Democratic National Committee came up with a furious new PR campaign accusing Republicans of widespread attempts to keep voters from the polls. The DNC held a conference call with reporters on Election Day in which a party official accused Republicans of all sorts of efforts to intimidate voters—he even went so far as to say that the GOP "clearly stands for restricting the right" to vote. All of it was smoke, of course. But it's the best Democrats could do to divert attention from their attempts to win in court what they can't win at the polls.

■ On the campaign trail, the Democrats are famous for two things, above all: race-baiting and Social Security demagoguery. In the Arkansas Senate race, Mark Pryor did his worst, playing both cards in his winning campaign against the incumbent Republican, Tim Hutchinson. Here, for example, is what the senator-to-be had to say about Hutchinson in ads aimed at black audiences: "If Hutchinson had it his way, 189,000 Arkansas children could go hungry." But that was nothing. Try this: "[Hutchinson] has made a career in Washington of threatening the education and economic future of black children in Arkansas." Not just blacks, mind you, but black *children*. Hutchinson, however, did something really, really strange, for a Republican: He fired back. He said, "This is race-baiting in its worst form. I thought Mark Pryor was content with just scaring seniors. But now, he has again stooped to playing the race card." Hats off. What is needed is to *call Democrats out* on these matters. If their tactics still work—as here—fine. But keeping silent about them practically ensures their success.

■ Anyone who takes on Iraq must fear bogging down in the sands—not the sands of the desert, but of the U.N. After seven weeks, Secretary of State Powell appears to have crafted a Security Council resolution that the French can support. Once they are on board, the thinking goes, Russia and China will not veto, and then—what? Inspectors would return to Iraq, where Powell acknowledges it would take "months" for them to determine whether Iraq were in compliance. With various attendant delays, we could be in the middle of next summer before we were told (if we were told) that Saddam Hussein was not altogether a man of peace. When Bush addressed the U.N. in September, he told them that they had failed to hold Saddam to their own strictures. Now we are trying, not to defang Saddam, but to get the U.N. to try again. We can only hope Bush has limited patience for the charade that is about to ensue—one more time.

■ The D.C. snipers turned out to be John Allen Muhammad, a black 41-year-old, and John Lee Malvo, his Mini-Me, a black 17-year-old. Up in smoke went weeks of expert media profiling, which assured us all that the murderer must be an angry white man. Unfortunately the police were as obtuse as the press. Mid-spree a cop found the pair sleeping in their car in a Baltimore parking lot and ran their license plate. But since they were not white men in a white truck, they were let go. Young Malvo had been let go once before, as columnist Michelle Malkin reported, when the Border Patrol arrested him in Washington State (he was an illegal alien from Jamaica). But the INS, following its catch-and-release model of enforcement, let him go on his own recognizance. The most disturbing thing about the pair is John Muhammad's conversion to Islam. But if Islamism—and its black variants: he had been a security guard at one of Louis Farrakhan's marches—organized his resentments, then his orgy of murder can also be seen as freelance jihad. John Walker Lindh, Jose Padilla, Richard Reid—the list lengthens. Moslems must purge their ranks of cranks and totalitarians, for America cannot tolerate a community that is a stimulus and receptacle for disaffection and terror.

■ The professional crime profilers had to backtrack in the sniper case. It now appears that the FBI must rework its own thesis that last year's anthrax attacks were the product of a "lone individual." The *Washington Post* recently reported that a growing number of scientists believe that no single person could have the level of specialized knowledge and access to expensive technology required to turn anthrax spores into lethal aerosol targeting the Capitol. That would point to a state-sponsored program abroad, something investigators so far have been loath to examine. Weapons of bioterror have a way of turning up in unexpected places. A new federal intelligence review claims that France, for instance, is one of four countries maintaining covert stocks of smallpox (the others are Iraq, North Korea, and Russia). The FBI may not need to look to Paris for the minds behind the five anthrax murders, but it should surely reconsider its reluctance to look at Baghdad.

■ Earlier this year, human-rights groups lectured us for months about the allegedly inhumane conditions suffered by detainees at Guantanamo Bay. "Keeping prisoners incommunicado, sensory deprivation, the use of unnecessary restraint and the humiliation of people through tactics such as shaving them are all classic techniques employed to break the spirit of individuals ahead of interrogation," shrilled Amnesty International. And Human Rights Watch reminded us portentously that "The United States may not pick and choose . . . to decide who is entitled to decent treatment." Now the first detainees have been released, and have publicly confirmed what life was like at Gitmo. So, was there less-than-decent treatment? Well, Hajji Faiz Mohammed explained to the *Washington Post* that while the food had been good, "there was no okra or eggplant." Or what about "breaking their spirit"—did we at least do that? Maybe Amnesty could check with Jan Muhammad, who told the *New York Times* that "When we were standing for praying [the guards] were walking very slowly to not disturb us."

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A Call for a Broad View

H.R. McMaster is a national security affairs fellow at the Hoover Institution.

The thought that the attacks of September 11, 2001, could have been prevented is frustrating. Intelligence indicators went unheeded, including information from 1998 suggesting terrorist plans to fly an explosive-laden aircraft into the World Trade Center or detonate explosives at an airport. We learn that the director of Central Intelligence, George Tenet, stated in December 1998 that the United States was "at war" with Osama bin Laden; he urged intelligence officials to spare no resources in the effort against Al Qaeda. In the summer of 2001 intelligence received information that bin Laden associates "were planning attacks in the United States with explosives," and thirty-three communications that indicated a "possible, imminent terrorist attack." Viewing evidence in hindsight, however, and considering it outside the context of all available information, can lead to simplistic conclusions. Broadening the inquiry to include other cases of strategic surprise can help us learn the right lessons from 9-11.

Nearly sixty years before terrorists struck Washington and New York, half the Japanese fleet moved to within striking distance of Oahu and achieved complete surprise at Pearl Harbor. **Revisiting why intelligence indicators did not generate warnings and defensive action before December 7, 1941, seems relevant to September 11, 2001.**

After Pearl Harbor, Congress also held hearings that evoked similar emotions of disappointment. A March 1941 report stated that a Japanese declaration of war might be preceded "by a surprise attack on Oahu including ships and installations on Pearl Harbor" and suggested patrols to prevent "surface or air surprise." A week before the attack, an analyst suggested that Japanese radio pattern changes indicated "active operations on a large scale." On December 3, Washington learned that Japanese diplomatic and consular posts were to destroy their codes and secret documents. On December 6, the FBI in Honolulu witnessed members of the Japanese consulate burning papers. Hours before the attack, a U.S. Navy destroyer identified a Japanese submarine in the harbor. Then as today it seemed that officials should have taken defensive action.

In her classic study *Pearl Harbor: Warning and Decision* (1962), Roberta Wohlstetter concluded that the surprise at Pearl Harbor was not surprising at all. Evidence of an impending attack was muted by the "noise" of conflicting information. Moreover, false alarms had desensitized officials to warnings. Bureaucratic barriers and preserving the secrecy of intelligence sources prevented analysts from connecting disparate indicators.

Although we may never eliminate the possibility of strategic surprise, we can reduce that possibility. The 9-11 attacks appear unprecedented in their brutality against innocent Americans, but we must resist viewing them in isolation. Many of the same causes of the Pearl Harbor surprise were present before September 11. Wohlstetter's book is representative of a rich literature on the subject of strategic surprise, studies generated in large measure by fears of a Soviet thermonuclear attack. History, however, cannot provide us with a specific plan of action to foil future attacks. But it can help us ask the right questions and avoid oversimplification.

Defending our homeland and our interests abroad requires enduring commitment, resolute action, and constant reassessment. As Sir Michael Howard reminds us, history may not be able to make us clever for the next time, but it can make us wise forever.

— H.R. McMaster

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■ There have been many mistakes in the federal government's handling of Zacarias Moussaoui—the alleged "20th hijacker" who was apprehended before the September 11 attacks last year—starting with the failure to connect him to the terrorist strikes before they happened. That blunder, however, is more understandable than the current mistake of prosecuting Moussaoui in federal court rather than through a military tribunal. He is not a U.S. citizen entitled to intricate legal protections, but an enemy combatant in the war on terrorism. What's more, it will be a long time before he coughs up any information that may be of use to security officials—his trial won't begin until June 30, 2003, because the judge in the case has honored Moussaoui's request for more preparation time. If only our own country had had more time to prepare for what Moussaoui and his friends wrought.

■ Harvey Pitt tendered his resignation as chairman of the Securities and Exchange Commission. He had been under criticism, much of it unfair: During a year of corporate scandal, he was a target of convenience for Democrats, journalists, and John McCain. But the criticism that brought him down was justified. Pitt's choice to run a new accounting oversight board, William Webster, turned out to have been on the audit committee of a company being investigated for fraud. Worse, Pitt failed to disclose this fact to his fellow commissioners before they voted for him. The administration now faces a difficult task: finding a new SEC chairman who can win Senate approval without committing himself to the ill-advised regulations that Democrats will demand. What the administration ought not to do is try to find someone who will "restore confidence in the capital markets," as everyone suggests. Stocks have been sluggish because profits have been, too, and confidence that stocks will rise will be justified only when profits rise—whoever is chairman of the SEC.

■ District judge Colleen Kollar-Kotelly okayed a settlement between Microsoft and the Department of Justice, largely rejecting the demands of nine states that wanted to be tougher on the company. Other courts had found Microsoft guilty of certain abusive business practices. Judge Kollar-Kotelly ruled that restrictions on the company were warranted to remedy those practices. But she would not impose restrictions unrelated to those legal violations merely because Microsoft's competitors desired them. Let's hope that the lawsuits end here. When, in an earlier stage of litigation, a judge opened the door to a government-ordered break-up of Microsoft, its shareholders lost $80 billion in one day. As Robert Levy of the Cato Institute points out, that's $20 billion more than the investors in Enron lost. By attempting to abuse the legal system to hobble Microsoft, the company's competitors have done more economic damage than the company's sharp-elbowed practices ever did.

■ Chechen terrorists who seized a Moscow theater and over 750 hostages were subdued by an aerosol painkiller pumped into the building. The Chechens were all killed by Russian commandos; but almost 120 hostages, including at least one American, also died from the noxious gas. The Russian rescue operation was conducted under urgent pressures: The Chechens called themselves a suicide squad and threatened to blow up the building. But it was also hobbled by Soviet-style bungling (medics seem not to have had sufficient antidotes on hand) and has since been wrapped in Soviet-era evasion and stonewalling—traits that have characterized Russia's war on its rebellious province. Reckless disregard for life forfeits the good will that the Russian government is owed as maintainers of public order. Unfortunately, the Kremlin has trouble behaving otherwise.

■ In 1994 Nobel peace-laureate-to-be Jimmy Carter negotiated a deal with North Korea whereby it would dismantle its atom-bomb program and submit to inspections, in return for which we would give it 500,000 tons of fuel oil a year and build two nuclear power plants. Last month the North Koreans revealed that they had been developing nuclear weapons on the sly, claiming that we had dragged our feet on building the reactors. In an op-ed piece for the *New York Times*, Jimmy Carter essentially agreed with the North Korean position. (BTW, he is the former president of *whose* country?)

■ Turkey is the sole Muslim country with democratic elections, but what happens now that elections have thrown up the Justice and Development Party (AK in its Turkish initials) as winner with a parliamentary majority? AK appeals to the deep and growing Islamist outlook of the Turkish heartland. Its leader, Recep Tayyip Erdogan, is only 48 and popular as a new face, but an enigma. When he was mayor of Istanbul, he recited in public a provocative Islamist poem, served a prison sentence for it, and is banned from the post of prime minister, so he'll have to lead from behind. But he sent his two daughters to America for education, and promises that Turkey will remain a secular state. He also wants Turkey to join the European Union, though there's now even less prospect of that than before. But the imminent admission of Greek Cyprus to the EU, Turkish governments have made a point of promising, means a bust-up.

What Say, California?

Schwarzenegger, flaunting English with
Pygmalion *panache*
While courting Left Coast lefties with
A terminator's dash,
Begins, as actors have before—
Remember Ron back when?—
Massaging this sick babel with
Smiles and the strength of ten.

—W. H. von Dreele

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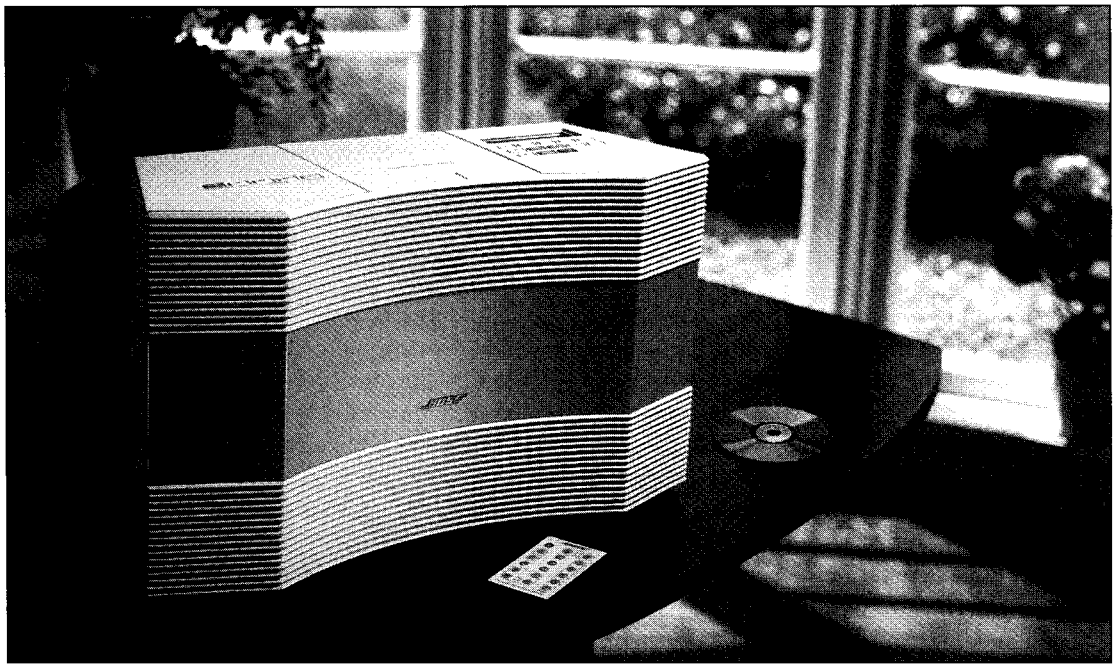

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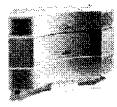

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The collapsing Turkish economy is in the unwelcome pincers of the IMF. Since 1960, there have been three military coups, and the generals remain more powerful and more trusted than the politicians. Not forgetting Iraq, and the need to use NATO bases in one Muslim country for a campaign against another Muslim country next door. Tremors are registering on the political Richter scale.

■ In October, a bipartisan task force co-sponsored by the Council on Foreign Relations and Freedom House issued "Enhancing U.S. Leadership at the United Nations," a comprehensive report making recommendations for better strategic leadership by the U.S., particularly in the areas of human rights and counterterrorism. "In the past," the authors note, "much of the debate over the U.S. role in the United Nations has been an argument between those who were fundamentally opposed to U.S. participation in the institution and those who defended that participation without reservations." A better approach would be to "reduce the leverage of a minority of repressive regimes, which skillfully blocks many American objectives." Above all, the United States should work to build a coalition of democratic member states—since the U.N.'s anti-democratic states long ago figured out how to work together to achieve their own ends. The task force also calls for reform of the Commission on Human Rights—a body currently so at odds with its stated mission that Libya may soon hold its chair. The report is available online at www.freedomhouse.org.

■ It's Ramadan, and Egyptians will be able to add to the month's spiritual rigors with a television series in 41 parts, called *A Knight Without a Horse*. The series—state-sponsored—opens in 1882, with the British occupation of Egypt. Its nationalist hero resists the British, only to discover that there's no point. A book, *The Protocols of the Elders of Zion*, reveals to him that the Jews have a secret and successful conspiracy to take over the world, beginning in Palestine. It doesn't bother the filmmakers that the *Protocols* are a notorious Czarist Russian forgery. Muhammad Sobhi, who plays the hero and co-authored the script, says that Zionism "has controlled the world since the dawn of history." Meanwhile, up in Damascus, at an international book fair, Mustapha Tlass is enjoying a popular success with his book *The Matzah of Zion*, now in its eighth printing, and with several translations on the way. Syrian minister of defense these many years, Tlass holds that their religion makes Jews murderers by nature. Protests from the American embassy or elsewhere achieve nothing. And there's pressure on Israel to see such men as partners in a peace process.

■ Over in Britain, the nanny state is looking to control . . . nannies. The Labour government recently proposed extending the Race Relations Act, an equal-opportunity law, so that, as a spokeswoman explained to the *Observer*, "People won't be able to discriminate when it comes to employing nannies in their own homes." Under the proposed legislation, the burden of proof would fall on the defendant rather than the claimant—that's to say, an employer or prospective employer would be assumed racist unless he could prove otherwise, possibly at ruinous legal cost. "Clearly it's right to be concerned about the possibility of racism," said Tory official Tim Yeo, "but you do have to also question whether this is likely to be effective." Take heart, Mr. Yeo—whether or not it keeps people from being racist, the measure is bound to be effective at keeping them from hiring nannies.

■ There is no surer sign that a country has gone decisively to the dogs than the presence in its government of a Minister of Culture. Britain passed that sad milestone five years ago, since when the nation's "culture, media and sport" have been supervised by a civil-service department with a staff of 400. For all the dismal connotations of his title, though, Kim Howells, Britain's current minister of culture, seems yet to possess some of the qualities of the bulldog breed. Faced with the annual Turner Prize exhibits at London's Tate Gallery—shortlisted entries include a perspex ceiling, a 20-foot billboard covered with pornographic words, and a featureless black monolith that hums—the minister remarked: "If this is the best that the British art establishment can come up with, God help us." He went on to observe that the exhibited entries were "conceptual BS" (that's our rendering of his words, at any rate). Could it be that at last the tide is turning against the nonsense art that has been given so much publicity in recent years?

■ "Baseball, hot dogs, apple pie, and Chevrolet," was the carmaker's ad slogan of the 1970s. Chevrolet has now added another, more controversial feature of American life to its marketing strategies: evangelical Christianity. The company is sponsoring a 16-city concert tour featuring contemporary Christian music, with some prayer spots between the songs. The howl has gone up that this is "troubling" (Anti-Defamation League) and "divisive" (American Jewish Committee). Is it, though? Big firms have for years been identifying market segments, and crafting policies to appeal to them. Burger King has commercials aimed at black people; Ikea has "reached out" to homosexuals; and everybody is putting out ads in Spanish. Possibly Chevrolet has plans to sponsor the next Barbra Streisand concert—who knows? "Chevrolet is talking about the 'family values' of this market, but . . . all religious groups possess strong family values," opined the AJC spokesman. Who denies it? Is support of one market segment necessarily an insult to all the others? Have we really traveled that far toward Balkanization?

■ Emory University history professor Michael Bellesiles was forced to resign his professorship after a panel of historians found him at best "guilty of unprofessional and misleading work." The historians were following up on media exposés of Bellesiles that appeared in the *Boston Globe* and NR. Bellesiles's book *Arming America* purported to show that gun ownership was not widespread in early America and that gun rights were unimportant to the Founders. The book received the Bancroft Prize, and laudatory reviews from writers sympathetic to gun control—e.g., Garry Wills. But the evidence that Bellesiles cited turns out not to exist. Bellesiles asserted that he had read probate records stored in the San Francisco Superior Court, for

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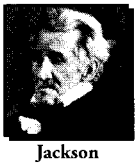
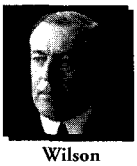

Jackson

Polk

Lincoln

T. Roosevelt


Wilson

F. Roosevelt

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example, when these records were in fact destroyed in the great 1906 earthquake and fire. When questions about his work were raised, Bellesiles claimed that all of his notes were ruined in a flood and that gun nuts were out to get him. Emory has properly discharged its responsibility. Now Columbia University should revoke his Bancroft Prize, and Mr. Wills et al. should eat some crow.

■ At Cornell University, the student health service is considering selling vibrators in its dispensary. Proponents claim that the university should facilitate access because Ithaca isn't a major town. "At this point, you either go online or go downtown to the sort of scary and not very woman-affirming sex-shop downtown," explains senior Somjen Frazer. As yet, no plans have been announced to sell copies of *Deep Throat* in affirmation of male sexuality, which we presume will remain unappeased.

CAMPAIGN 2002

Bush Triumphant

THERE have been three national elections in the modern era in which conservatives made massive gains. In 1980, a conservative won the presidency. In 1994, conservatives became a majority of the party that controlled Congress. The 2002 election is another such advance. It is more surprising, and in that sense more impressive, than the others were. Conservatives were likely to do well in 1994, if not quite as well as they did, since a Democratic president was in office. In 1980, Ronald Reagan had a stagflationary economy to run against. This year, Republicans overcame both a weak economy and the midterm curse. No president has ever led his party to control of the Senate in his first midterm—until now.

Republicans won almost every race in which they had been favored, almost all of the toss-ups, and quite a few races in which they were expected to lose. In races that the Republicans lost, they often did far better than had been expected. Their victories were national in scope. Republicans won not only in red states, but in states of the darkest blue: Maryland, Hawaii, Massachusetts, Rhode Island, and Vermont elected Republican governors. Republicans retained a majority of the nation's governorships, something they had never dared to hope would happen. Even sweeter for conservatives, the most right-leaning governors enjoyed some of the biggest victories. Bill Owens won in a landslide in Colorado, and Jeb Bush confounded the Democrats by achieving an easy re-election in Florida. Mark Sanford, a similarly bold conservative, beat a Democratic incumbent to become governor of South Carolina.

Primary credit for the victories must go to President Bush. The president's hectic campaigning paid off in spades. The 2002 vote has to be seen as a vote of confidence in the president and a ratification of his victory in 2000. Democratic complaints about the Florida recount, which already sounded tinny after September 11, are politically irrelevant now. Conservatives will continue to disagree with the president on some important matters—such as immigration, racial preferences, and steel tariffs—but we must acknowledge that our fortunes are largely tied to his and that he has earned our gratitude.

Credit must, however, be shared with others: Karl Rove, Ken Mehlman, Bill Frist, and Tom Davis, who made sound strategic choices; Ralph Reed, who led the Georgia Republicans to victories up and down the ticket; and Denny Hastert and Tom DeLay, who have held the House Republicans together for four years, sometimes with bubble gum and rubber bands. Republicans seem finally to have created a decent turn-out-the-vote operation.

The most obvious interpretation of the election results is probably the correct one: Voters were concerned about national security, and they trusted President Bush and the Republicans on the issue. Security was not the only issue; the economy was also on voters' minds. But Democrats had at best a slight edge on economics, while Republicans owned the security issue. On Iraq, the Democrats offered clever and shifting positioning where the voters wanted a clear pro-security stand. On homeland security, they obstructed the president's proposals to curry favor with their public-sector union supporters. The natural Republican advantage on the issue was augmented by the Democrats' frittering away of their credibility.

The war on terrorism wasn't the only winning Republican issue, though. Especially in the South, Republicans were effective in making the case that Senate Democrats were wrongly blocking the confirmation of conservative judges—and in no region did Democrats appear to have made their obstruction a reason to vote for them. Everywhere, President Bush and Republican candidates talked about making the tax cuts of 2001, above all the end of the estate tax, permanent. Almost everywhere, Democrats were on the defensive about the issue. They were also defensive about guns, and wisely so. In the race where they figured most prominently—the governor's race in Maryland, a relatively anti-gun state—gun control flopped. And while definitive judgments must await more data than we currently have, it appears that to the extent abortion was an issue in the elections, it helped pro-life Republicans.

The conservatism that won in 2002, in comparison to the conservatism of 1980 or 1994, is a chastened one. This president is not likely to overreach, as Newt Gingrich did on Medicare. The more pressing danger is that Bush and the Republicans will find it hard to deliver on their promises—to voters in general, and conservatives in particular. (Note that the one Senate seat that the Republicans lost this year went Democratic because Tim Hutchinson lost support from his conservative base.) Conservative voters should adopt realistic expectations, but Republican politicians will have to show that they are trying.

The first priority for Republicans should be to ensure that Bush has the ability to fire and re-assign people in anti-terrorism agencies. If the election is a mandate for anything, it's that the unions' demands should not trump national security. Second, Republicans should confirm conservative judges. They should seek a ban on cloning, an issue where the polls favor them and the danger of inaction grows daily. On taxes, the limits of the possible have moved rightward. Republicans might be able to win enough votes to make tax cuts permanent, and

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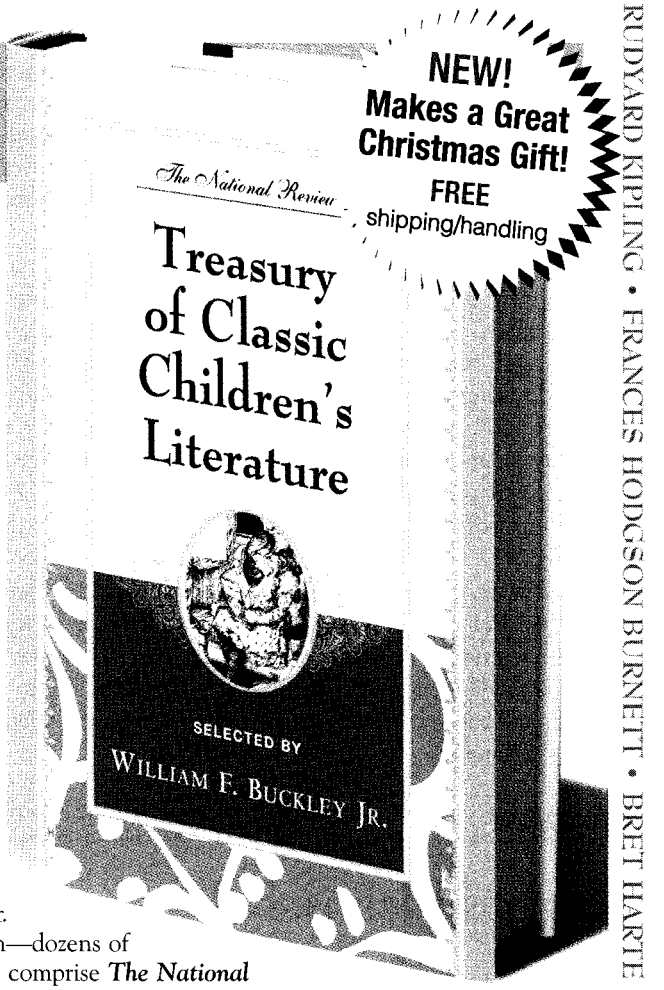

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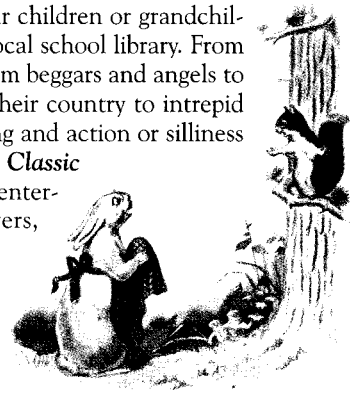

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should certainly try. More important, they should press an investors' bill of rights containing a tax cut on dividends and a major expansion of IRAs and 401(k)s—including a liberalization of the rules to allow people to withdraw money from their accounts to pay for health-care costs. These policies would pave the way for a reform of Social Security based on private investment.

Although we do not support new prescription-drug subsidies in principle, public demand for them is too strong for Republicans to ignore. Those subsidies should be coupled, if possible, with reforms to Medicare. With the state attorneys general looking to transform the pharmaceutical industry, effectively, into a regulated public utility, the need for tort reform is greater than ever. Finally, President Bush has an opportunity to insist that when federal welfare programs are reauthorized, work requirements are strengthened rather than weakened.

President Bush's political victories have been enormously impressive. But we think he understands that those victories are worth winning only to the extent that they pave the way for improved public policy. He invested his political capital in the elections and earned a handsome payoff. The biggest dividends, however, lie ahead.

OBITUARY

Richard Helms, R.I.P.

SOME time after my first novel (*Saving the Queen*) was published, I had a handwritten note from Richard Helms. He had read the book, he said, and enjoyed it. I replied and, subsequently, we had one or two visits at lunch.

I was especially pleased inasmuch as he had been Director of Central Intelligence and would have been put off by any spy-time solecisms he'd bumped into. And he might have found a number of these, inasmuch as my protagonist, Blackford Oakes, was inducted into the CIA as an undergraduate, trained, and deployed in Great Britain where—as one might put it, in a trade in which one divulges nothing more than necessary—Oakes took on more than the CIA gave him to chew.

But what obviously caught the Director's eye was the predicament my protagonist was caught up in: He was asked to testify before a congressional committee about activity he had engaged in, and declined to answer questions.

The Senate committee asked Helms, in 1973, to disclose what he knew about the derailment of the Salvador Allende regime in Chile. Helms dissimulated. He had already left the CIA, Richard Nixon having replaced him when Helms refused to block the FBI's inquiry into Watergate. Nixon sent him off as ambassador to Iran, which was a shelter of sorts, but in 1976 he came home to Washington to face the music, pleading no contest to charges that he had lied to a congressional committee. He tried to explain his problem to the judge, as Blackford Oakes had tried to explain his silence to his own senatorial inquisitors. "I found myself," Helms told the court, "in a position of conflict. I had sworn my oath to protect certain secrets. I didn't want to lie, I didn't want to mislead the Senate. I was simply trying to find my way through a very difficult situation in which I found myself."

The judge had zero understanding of any such difficult situation. "You now stand before this court in disgrace and shame," he pronounced on this singular man of honor, sentencing Helms to two years in prison (suspended) and a $2,000 fine. An important book was generated. Thomas Powers's *The Man Who Kept the Secrets* told something of the unresolved conflict of the intelligence agent who promises to keep a secret, yet is questioned by an authorized investigator of government.

Richard Helms was impenitent, and at lunch spoke of the quandary, branching off to other of his encounters as DCI. As director of the CIA he attended, ex officio, the cabinet meetings of President Lyndon Johnson. "There was only one way to get the president's ear," he recalled. "It was to be the first to speak, and as CIA director I had this assignment, and to make the very first thing I said—*interesting*. The president gave you no second hearing."

He was relaxed, authoritative, a prominent figure in Washington, composed but not indifferent to damaging vicissitudes-of-state. He indulged a bitterness. "There are two men in the history of the time I served whom I truly despise. One was Frank Church, the other was William Colby." It was Senator Church who presided over the investigating committee that sought out the secrets, and it was William Colby, the incumbent director of the CIA, who gave away the secrets.

Dick Helms had a very full life, president of his class at Williams College, and editor of its newspaper; before that, two years of preparatory school in Switzerland, rendering him fluent in French and German, which helped when as a young journalist he had an exclusive interview with Adolf Hitler (*Sieg Heil, Herr Shitface*). He will need no evasive tactics where, R.I.P., we trust he finds himself.

—WFB

CULTURE WATCH

The Funeral-Rally

MINNESOTA senator Paul Wellstone, who died in the homestretch of his re-election campaign in a plane crash that also killed his wife, his daughter, three aides, and two pilots, was a conviction politician. He called himself a "proud progressive." He voted against letting a Bush move against Saddam Hussein twice, in 1991 and 2002. His consistency was allied with a geniality, that made even his opposite numbers, such as Jesse Helms, consider themselves his friends.

Wellstone's supporters pushed his partisanship over the line at the senator's televised memorial service, turning it into a partisan pep rally. Non-Democratic mourners, such as Sen. Trent Lott and Gov. Jesse Ventura, were booed (Lott and Ventura ultimately walked out); liberal Democrats, such as Jesse Jackson, Ted Kennedy, and the Clintons, were lustily cheered. One eulogist, Richard Kahn, abused the privilege of

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the lectern by trying to bully Republicans into winning the election for Wellstone's replacement (Fritz Mondale). It was as couth as a political convention, as gross as a rock concert. Even the Minneapolis *Star Tribune*, one of the most liberal newspapers in the land, editorialized that Kahn's speech was "inappropriate" and "irrational."

A memorial should reflect the life of the deceased. The followers of a politician will properly take inspiration from his example, and calls to carry on his work are appropriate. Unless one thinks that the world is a snare and an illusion, one will believe that the struggle for liberty and justice here below is important work. But the presence of death should cause us to reflect on our transcience, our ignorance, our awe, our faith. "The glories of our blood and state / Are shadows, not substantial things," wrote the poet James Shirley. Karl Marx, the great atheist revolutionary, spoke for a different view when he said that the goal of philosophers is not to understand the world, but to change it.

The pumped-up Wellstone-ites may not have been Marxists, but how many of them were temporarily unhinged by emotion, and how many were modern men, with no emotions to spare from worldly pursuits? When we next feel the chill of the lonesome valley, at a friend's funeral, or on the eve of our own, may we behave differently.

NOTES & ASIDES

Dear Mr. Buckley: In his letter to you (Sept. 30), Rob Lisch writes that he "has read that a single letter combined with another word to form one object (e.g., T-shirt) should always be capitalized."

In your reply you compliment Mr. Lisch on using parentheses, which, as you put it, "appear to be on the way out."

But Mr. Lisch should be chastised, not complimented. One uses a comma before and after "e.g.," not parentheses. Adding parentheses makes for a redundancy, e.g., a superfluity that is quite incorrect.

Sincerely yours,
Tom Wendel
Campbell, Calif.

Dear Mr. Wendel: But you are confusing "e.g. (T-shirt)," which would be wrong, even dastardly, and ". . . (e.g., T-shirt)," wherein the example is expressly segregated as—parenthetical!

Cordially, WFB

Dear Mr. Buckley: Re your exchange with Earl L. Brown (Sept. 16):

Since Jesus spoke no English, He did not use the phrase "fishers of men." Those words were put into His mouth by some subsequent translator.

It's not the same thing.

Best wishes,
W. Barnes Hunt
Brookhaven, N.Y.

Dear Mr. Buckley: I didn't know that Christ spoke English!

Regards,
Sidney Zecher
Newburgh, N.Y.

Dear Messrs. Hunt, Zecher, and a dozen other correspondents who were kind enough to make the same point—you are of course correct. The King James scholars might have taken a liberty with the word, but surely not with the sentiment.

Cordially, WFB

Dear Mr. Buckley: The curse of conservatism is that our moral absolutism dooms us to welter in torment at mere peccadilloes, such as the misspelled "tendonitis" in the Aug. 12 letter of James C. Neely, M.D.

My patellar reflex is to assume that an M.D. should know that the correct spelling is "tendinitis," but then one begins the vicious infinite regress through department editors, copy editors, proofreaders, and typesetting computers, and the mystery deepens.

Is it revisionism (i.e., another concession to liberals, who want to eradicate the twin threats of merit and responsibility) or is it a mistake? The latter I can forgive. The former means war.

Sincerely,
Julian Schmidt
Treynor, Iowa

Dear Mr. Schmidt: You are confusing, if only because tendonitis and tendinitis are both okayed by the *American Heritage Dictionary*. Or did you have another point? Advise.

Cordially, WFB

Dear Mr. Buckley: Re your comments on minimalizing in the cyberworld:

A certain email vernacular has evolved on the internet. Capitals r passé and shorthand is de rigueur. Email is frequent but concise and u can c the appeal of abbreviations. 2 b honest, none of this is novel. Telegraphers did the same thing 150 years ago.

Sincerely,
Bill Freda
Valley Stream, N.Y.

Dear Mr. Freda: On the matter of capital letters, I shrink from the e. e. cummings approach, but continue to resent the manual effort required to capitalize.

A few years ago, I made a modest proposal in print, to wit, a keyboard should be devised which, upon pressing with extra pressure on any key, causes a letter to be capitalized. I offered 90 percent of any royalties realized on the production of such a time-saver to whoever manufactured it, but nobody has. Would you like to try? It is all yours. Think of it! *"The Freda Keyboard Cuts Keyboard Effort in Half!,"* William F. Buckley Jr. commented.

Cordially,

—WFB

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■ IMMIGRATION ■

A Rendezvous with Reality

Are immigrants needed to fill our jobs and make us grow?

JOHN O'SULLIVAN

"REALITY," as Oscar Wilde should have said, "is the name we give to our mistakes." It is at any rate the name that politicians, journalists, and intellectuals give to *their* mistakes. In the last 20 years we have been repeatedly assured by all the wise men that "reality" required us to raise taxes in order to balance the budget; somehow "reality" never asked us to cut spending for the same purpose.

Not that such "reality" is the argument solely of liberals and statists. On some issues—notably drugs and illegal immigration—conservatives and libertarians are equally quick to resort to it. To justify drug legalization, for instance, libertarians say that no amount of official interdiction will halt the drug trade—in other words, the "reality" is that the war on drugs is lost.

When we unpack this argument, however, we find that the concept of "reality" is a device for making certain choices without acknowledging them. It is very possible that the war on drugs could be won if draconian penalties were imposed equally on all offenders; but the more penalties we impose, the more resistance we will meet. Newt Gingrich attracted more than his usual level of controversy a few years ago when he advanced the possibility of executing drug kingpins—but he was merely pointing to the bare minimum that would be needed to fight the drug war successfully. If he had advocated executing users, he would have caused a conflagration.

In other words, the war on drugs runs up against the general social desire, at least among political elites and criminologists, for a non-punitive and therapeutic approach to drug abuse. Sections of the public favor a stronger approach—and their feelings have to be at least placated, especially at election time. So the unstated compromise is that the U.S. will fight the war on drugs but halfheartedly.

"Reality," then, imposes nothing on us. What we have here is a choice between legalization and severity. My own judgment would come down against imprisoning someone for life in order to deter him from self-destructive behavior—and therefore I lean toward a cautious and prudent form of legalization. But I can understand those who take the view that such a penalty is justified because it might deter thousands of others from starting out on a suicidal path. But if there is any real "reality" here, it is the stalemate of a phony war on drugs. If nothing else, that should rob the notion of "reality" of any undeserved prestige.

Thus equipped with the proper skepticism, let us now examine the "reality" of illegal immigration. The typical libertarian view of illegal immigration is that we are essentially powerless before its titanic force, which overwhelms mere man-made borders as might a tidal wave. Daniel Griswold of the Cato Institute puts the argument clearly and narrowly: "America's immigration laws are colliding with economic reality, and reality is winning. Migration from Mexico is driven by a fundamental mismatch between a rising demand for low-skilled labor in the U.S. and a shrinking domestic supply of workers willing to fill those jobs." (For the broader argument that illegal immigration is necessary for economic growth, see the *Wall Street Journal* editorial page, *passim*.) In short, there are millions of illegal immigrants here, because we need their labor; and there is nothing we can do about it.

Just how real are these realities? Take the big picture first. Both theory and practice combine to disprove the argument that immigration (legal or illegal) is necessary for higher rates of growth. For many years now, the argument we learned in Economics 101 that growth requires an increase in either capital or labor (or both) has been shown to be false. Economists now recognize that the single most important factor in stimulating economic growth is rearranging the existing factors of production in new and more productive patterns—in a word, innovation. That was first glimpsed over 100 years ago in Britain by the anti-Fabian critic W. H. Mallock, who called this factor "ability." Since the 1960s, following the work of Simon Kuznets and P. T. Bauer, it has been economic orthodoxy.

This theory is confirmed by the experience of Japan, which for almost 40 years had the highest rates of growth in the industrialized world but no immigration whatsoever. (Japan's current economic woes are the result of mistaken financial policies, and unrelated either to immigration or to the labor supply generally.)

The most sustained academic examination of the economic effects of immigration—namely, that carried out by the National Academy of Sciences in 1997—concluded that immigration added between $1 and $10 billion a year to the income of native-born Americans, in a $7 trillion economy. And that estimate included the impact of immigration both illegal and legal.

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In other words, illegal immigration is not the irresistible consequence of the needs of the U.S. economy. America would grow without illegal immigration. But is there an ineluctable demand for it, in particular industries? Surely there are jobs that "Americans will not do"?

Perhaps, but that is a "reality" that needs very careful unpacking. To begin with, the jobs that Americans "will not do"—agricultural work, gardening, etc.—are in the majority of cases actually done by Americans. No occupation is monopolized by illegal workers. In addition, Americans would be prepared to take up even more such jobs if the wages available were higher. So a full and accurate statement of the economics of illegal immigration is that illegals take jobs that not enough Americans will do at the wages offered. American prosperity has, in effect, established a "floor" income below which most American workers will refuse a job offer, relying presumably on savings, the income of other family members, or some form of social payment. Illegal immigrants, being poorer and having lower expectations, fill the jobs below that "floor." Of course, one corollary is that they and their families tend to swell the costs of the public budget because their taxes are low but their call on public services substantial. Illegal immigration is a subsidy for employers for which the cost falls on the taxpayer.

Suppose, however, that illegal workers were not available to fill the gap. Employers would then have either to raise the level of wages or to introduce labor-saving machinery. As it happens we have some experience of the latter. In the 1960s, tomato growers opposed the ending of the Mexican guest-worker program on the grounds that it would threaten the survival of the tomato industry. As Mark Krikorian of the Center for Immigration Studies pointed out in testimony to Congress in 2000, when the program was discontinued despite these predictions, the tomato farmers mechanized their production—with the result that production quadrupled and prices fell over the next 30 years. As to offering higher wages, that raises the question, Are there enough Americans to fill the jobs vacated by illegals? Well, the current INS estimate for illegal immigrants is 6 million (some of whom, of course, are unemployed wives, children, and other dependents). On the other side of the ledger there are more than 8 million unemployed Americans and almost 2 million Americans who have dropped out of the labor market or who are "discouraged" by the lack of jobs—a total of at least 10 million potential employees.

The problem, then, can be solved—for most companies that employ illegal workers. The rest of the companies would have the option, under NAFTA, of relocating to Mexico. So what creates the present "reality" is a political decision—namely, the failure of the U.S. to enforce immigration laws. This gives potential illegal immigrants an incentive to sneak across the border, and marginally competitive American companies an incentive to hire them. Immigrants know that once they have made it to Los Angeles, they will be quite safe from deportation; and their new employers know that no legal sanctions will be imposed against their employment. Our "porous" borders are a direct result of that political failure—and they will be made secure only when the U.S. government begins to enforce immigration law. That will necessarily be a sensitive and potentially disruptive matter—involving perhaps a grace period in which companies can steadily reduce the proportion of their workforce accounted for by illegal employees—but it should begin with the serious enforcement of deportation law.

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Illegal immigration is a subsidy for employers for which the cost falls on the taxpayer.

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After all, the U.S. has something else to consider. Our porous borders allow into the U.S. not only hard-working migrants but also resourceful terrorists. As long as the number of illegal immigrants remains so large, and the immigrant-smuggling networks exist unharried, they provide a kind of underground sea in which terrorists swim, as well as gardeners and nannies. That, too, is a reality. **NR**

■ **THE STATE DEPARTMENT** ■

So You Wanna Sue the Saudis?

Expect a fight from Foggy Bottom

JOEL MOWBRAY

"It would be an obstruction of justice for us to get involved." That was State Department spokesman Gregory Sullivan last summer, discussing the $1 trillion lawsuit filed by the families of 9/11 victims against the Saudi royal family. What a difference a few months of Saudi diplomacy makes: State is now poised to seek dismissal of the families' quest for justice.

In a not entirely uncharacteristic move, State has decided to stick up for the Saudis—against the most sympathetic of plaintiffs—because the lawsuit would be bad for "bilateral relations," according to a senior State Department official. The current posture simply maintains State's opposition to the efforts of terrorism victims and their families. Just ask the families who have been battling State for years—while the department protects its cache of frozen assets belonging to Saddam Hussein, the Iranian mullahs, and Muammar Qaddafi.

Lawsuits in response to terrorism have been brought for years, but the legal hurdles were often difficult to clear. Families of victims of Iraqi, Iranian, and Libyan terrorism (and the few lucky people who actually survived) spent much of the '80s and '90s in a fruitless pursuit of justice, until an event in 1996 galvanized Congress to come to their aid.

On February 24, 1996, two small planes operated by the group Brothers to the Rescue were searching for Cuban refugees, when they were shot down over the Florida Straits—in international waters—by Cuban MiG fighter jets. Four

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men perished: three of them American citizens, one a legal U.S. resident. President Clinton called Castro's act a "flagrant violation of international law" and proclaimed that the victims' families should have clear authority to receive some of the $180 million in blocked Cuban assets in the United States. Congress complied—or at least it thought it did.

Looking beyond the immediate incident with Cuba, Congress broadened the scope of its legislation to include all victims of terrorism and their families. Two amendments were passed in 1996—supported by the State Department—stripping countries officially named as sponsors of terrorism of their "sovereign immunity" (protection from lawsuits) in American courts for terrorist actions perpetrated against U.S. citizens. State even encouraged the victims' families to seek judgments, in some instances providing classified information to further the cases against the terror-sponsoring governments.

Since these regimes tend not to respect the findings of American courts, the clear intent of the 1996 law is that those who succeed in winning court judgments should then have access to frozen assets in order to collect on them. But once the families had won judgments and tried to seek damages, State's assistance came to an abrupt halt. The department, which wanted the money for its own purposes, argued that the law did not clearly specify that the families could collect from those assets. Congress responded by passing a new law in 1998 clarifying that blocked assets were in fact fair game. At the last minute, an anonymous ally of State on Capitol Hill sneaked in a "waiver" provision giving the president the authority to block the collection of frozen assets for reasons of national security. Clinton—at the behest of the State Department—effectively vetoed the bill right after signing it by declaring any use of frozen assets to compensate families of terrorism victims to be against "national security."

The saga did not end there. Having had enough of State's obfuscation, Congress took further action on behalf of the families in 2000, specifically designating 16 families—including relatives of the Brothers to the Rescue workers and victims of Iranian terrorism—who were finally to receive compensation. State relented on the Cuban assets, allowing those families to collect nearly $100 million from Castro's frozen funds in the United States. For the victims of Iranian terrorism, however, State insisted that the money not come directly from frozen Iranian assets, but rather from taxpayer matching funds tied to frozen assets. (If it sounds confusing, it is—but the upshot was that none of the frozen assets being protected by State were reduced.)

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The State Department's obstructionism has carried over into the present administration.

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The 2000 bill reiterated Congress's intent that the "waiver" provision not be used as a blanket denial of compensation, though the bill still allowed the president to refuse access to frozen assets when necessary to protect national security. Once again, Clinton decided to ignore Congress and sided with State, reapplying the waiver to all remaining cases—a move that coincided roughly with his pardoning spree that made Marc Rich an unwanted man.

Clinton is of course not solely to blame for the sad state of affairs; the real obstacle is the State Department, whose obstructionism has carried over into the present administration. In a letter to Republican senator George Allen, deputy secretary of state Richard Armitage wrote that, although he "sympathizes" with the victims' families, the frozen assets of terrorist states should not be spent to satisfy judgments won by "victims whose lawyers happened to be successful in obtaining judgments against foreign states at a particular point in time." The December 2001 letter further "clarified" that the only reason any blocked assets had been used for such purposes in the past was "significant lobbying by certain victims' lawyers."

Armitage suggested that terrorism victims should be compensated—but by the U.S. taxpayer, not the regimes responsible for the terrorist attacks. Why? "There is no better example [of protecting national security] than the critical role blocked assets played in obtaining the release of the U.S. hostages in Tehran in 1981," he wrote. In other words, Armitage believes that State needs those funds to give back to the regimes in question if they are smart enough to kidnap American citizens and demand ransom payments.

It does not appear that blocked assets have been used for ransom payments anytime in the recent past. But the supposedly off-limits funds have been used for a number of other, shady purposes.

The Chinese foolishly sold dual-use telecommunications equipment to Iraq—foolish because Hussein never bothered to pay them. But State made sure that Communist China would not have to suffer from its unfortunate business decision: Officials at Foggy Bottom forked over $80 million of frozen Iraqi assets to Beijing, a fact brought to light by William Safire in his *New York Times* column in July 2001.

Blocked Iranian money has also mysteriously disappeared, and again none of it went to the families of terrorism victims. According to annual reports from the Treasury Department, the total amount of blocked Iranian assets held in the United States dwindled from approximately $350 million at the end of 2000 to about $200 million one year later. Though specific allocations of funds are not made public, private businesses are allowed to "license" blocked assets to recoup payment, typically for contracts that foreign governments never fulfilled. This is the most likely explanation for the missing money.

By far the worst of these deals, however, pertains to Cuba. As part of a 1992 effort to provide phone service to Cubans as a way of undermining Castro, Congress allowed telecom companies to equip the Cuban people to call friends and relatives in the United States—with payment coming from Cuba's blocked assets. Over $100 million each year is paid out to phone companies, such as AT&T and WorldCom, for phone service—more than $50 million of which then goes right into Castro's pocket, so that he'll allow phone service to continue.

Most remarkable, notes international law scholar John Norton Moore, is that

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"blocked assets receive more protection than regular assets in the United States belonging to foreign governments." Non-blocked assets, for example, cannot be protected from satisfying judgments for "national security" reasons.

Given State's track record, the families of 9/11 victims face formidable odds in going after the Saudi royal family—even though there are no blocked assets involved, since Saudi Arabia is not *technically* a state sponsor of terrorism. In this case, State is likely to try to sabotage the case from the sidelines. The probable game plan is not to get directly involved and to wait for the court to ask for State's opinion—an opinion that would advise the court to dismiss the lawsuit. Top State press flak Richard Boucher hinted at the department's strategy for torpedoing the Saudi lawsuit when he said, "Sometimes courts ask us for things, and obviously we would respond to the wishes of the court [to give our opinion]." If only State would respond to the wishes of American citizens victimized by terrorism. **NR**

■ **THE STATE DEPARTMENT II** ■

Let Ashcroft Do It

Trying to recover abducted kids

KATE O'BEIRNE

"AUSTRIA?" President Bush asked when Tom Sylvester requested his help for "our American stolen children"—including his only child, Carina, who was abducted to Austria by her mother in 1995 when she was a year old. After expressing his surprise at the complicity of a friendly European country in international abduction, Bush encouraged Sylvester to tell his story because "a lot of people are watching."

The heartbroken father has been tirelessly telling his story for seven years. (See my "Without Their Daughters," May 20.) Sylvester's brief encounter with the president in early October, at a White House conference on missing children, followed a private meeting he had had in June with secretary of state Colin Powell, and a personal appeal on his behalf in July by the U.S. ambassador in Austria to the Austrian justice minister. Sylvester had also previously met with former secretary of state Madeleine Albright. But despite all the top-level sympathetic attention, after these seven years, Tom Sylvester concludes that "as a practical reality, Carina's not coming back."

As a practical reality, Carina and hundreds of other American children will remain separated from their parents as long as the primary responsibility for these international criminal cases remains with the State Department. The reason for this is simple: The unavoidable competing demands of international relations make it impossible for the State Department to elevate the rights of American parents and their children above its most pressing

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concern—good relations with foreign governments. To better guarantee the rights of individual citizens, responsibility for international abduction cases should be transferred to the Justice Department.

One of the proponents for such a transfer is Michael Horowitz, who heads the Project for Civil Justice Reform and the Project for International Religious Liberty at the Hudson Institute. Horowitz points out that, while the State Department's institutional culture seeks to reduce irritants that might interfere with good international relationships, the Justice Department could be expected to have a "client-centered" approach. Justice, he says, could represent American parents whose children have been taken abroad in violation of international treaties as vigorously as foreign governments currently defend their citizen-abductors. Horowitz, who has successfully put together coalitions to force State Department action on religious persecution and international sex trafficking, vows that a similar coalition of interest groups committed to the rights of American parents "will be ready for this battle in the next Congress."

Even a transfer to the Department of Justice wouldn't automatically guarantee better results for American parents, who currently win the return of their children in fewer than 20 percent of the thousand cases a year reported to the State Department. While the National Center for Missing and Exploited Children has helped to see that over 90 percent of children abducted *to* the United States are returned, the State Department has failed to act effectively on behalf of children abducted *from* it. Tom Sylvester would hope to see an improvement if the Justice Department worked with the National Center on "outgoing" cases and issued transparent, regular reports on the status of cases to Congress.

Sylvester notes that it took him four years and a federal lawsuit to get needed documents on his daughter's case from the State Department, and he would welcome a Justice Department review of foreign laws that frustrate the clear aims of the Hague Convention on international abduction. Sylvester had won an initial order for Carina's return from Austria's highest court; but owing to the inability of Austrian courts to enforce civil court orders, Carina remained in Austria, and an Austrian court eventually awarded custody to Sylvester's former wife. Her father is now permitted only a couple of supervised visits a year.

Left-behind parents point out that the State Department has refused to publicize the inability of many foreign governments to enforce domestic-relations court orders. Sylvester and others believe that the Justice Department, by contrast, could be expected to inform state courts that if a foreign parent wins custody, in all likelihood the American parent would be unable to enforce visitation rights. They anticipate that the courts would then hesitate to allow foreign custody or overseas trips that pose an abduction risk.

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Responsibility for international abduction cases should be transferred to the Justice Department.

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Carina's case represents a clear violation of Austria's obligations under the Hague Convention, but the State Department misleadingly lists the case as "resolved" in its mandated annual report to Congress. The report is only reluctantly published at all because it typically lists allies like Austria, Sweden, and Germany as out of compliance with their convention obligations. Any reluctance about calling attention to international scofflaws seems unwarranted; Tom Sylvester's situation suggests that our foreign allies aren't easily embarrassed.

On July 1, in a hand-delivered letter to Dieter Boehmdorfer, the Austrian justice minister, U.S. ambassador W. L. Lyons Brown called the case "a bilateral irritant to our countries' otherwise outstanding relations," and expressed dismay that the Austrians had shrugged off Sylvester's legitimate complaints to the European Court of Human Rights. Boehmdorfer contacted the attorney for Sylvester's former wife and explained that Sylvester had offered, if permitted an unsupervised visit with Carina, to withdraw the U.S. arrest warrant for the mother and vacate the court order awarding him custody. Moreover, the U.S. government would guarantee the return of the child to her mother.

The mother's attorney responded that it was irresponsible even to make such a request, and objected to the intervention of the American and Austrian governments. Boehmdorfer then expressed his regret to the American ambassador—and washed his hands of the case: "I will not be in a position to undertake any further steps in this matter."

For over two years, the Austrian government had cited the U.S. arrest warrant and custody order as obstacles that prevented Sylvester's unsupervised visits with Carina. When those alleged obstacles were removed, Austrian authorities simply absolved themselves from any responsibility by reporting that the child's mother had been asked about permitting visits and had said no.

Meanwhile, even as foreign governments breach international agreements to vigorously support their citizens—Sweden even picks up the legal costs of its citizen-abductors—the U.S. government is bending over backward to accommodate non-compliant foreign governments. Just ask Ann-Christin Jagne, who abducted her son to America. Though the child was returned to Sweden last December, in May deputy secretary of state Richard Armitage authorized the extradition of Jagne herself, a naturalized American citizen, to face criminal charges in Sweden. Sweden refuses to extradite its own citizens.

Despite this lack of reciprocity, and despite Sweden's ongoing violations of current treaties, the United States has submitted a new mutual legal-assistance treaty with Sweden to the Senate for ratification. The push for this controversial treaty, which has been pending for seven years, is the latest example of larger issues in the international arena trumping the abduction of children from American parents.

Under the change proposed by Horowitz, American parents would be spared these tradeoffs, and the State Department would be spared the irritant of abducted children who might threaten friendly relationships with foreign governments. Should governments complain about overly aggressive efforts seeking the return of American children, attorney general John Ashcroft would be the undiplomatic bad guy. Left-behind parents hope, and expect, that he wouldn't care. **NR**

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■ AT WAR ■

Steady On, George

The costs of going wobbly

DAVID PRYCE-JONES

'WE'RE taking him out." That's what President Bush said last winter about Saddam Hussein to a group of senators in the White House. On subsequent occasions, notably to the West Point graduates in June, he committed himself to the same end in more elegant language. Doing nothing about Saddam, he often repeats, is "not an option." He envisages regime change, and freedom and democracy for Iraq.

In his address to the United Nations on September 12, he spelled out Saddam's past crimes and present threats with an oratory many held to be Churchillian, and concluded with an appeal to both the United States and the United Nations: "We must stand up for our security, and for the permanent rights and the hopes of mankind." The military build-up is no secret either. On one hand, forces in Qatar, in Oman, Bahrain, and Jordan; on the other, anxieties about the use of bases in Saudi Arabia and the possible backsliding of Turkey, following the election of Islamists there.

Since the collapse of Communism, supreme power across the world has been tilting increasingly in favor of the United States. Everywhere and at all times, the strong and the weak, the just and the unjust, engage in tugs-of-war. Intractable cases such as the Balkans, Palestine, or Kashmir—and even Northern Ireland—have little to do with American national interests, but the parties call for U.S. intervention to resolve issues which they cannot resolve for themselves. President Clinton is still beating his breast for the self-imputed failure to stop genocide in Rwanda—a horror, to be sure, but as far away from the American national interest as can be imagined.

Supreme power serves the indispensable purpose of providing a standard which allows people to predict with a reasonable chance of being right who is going to win and who is going to lose, insuring themselves against chaos. Saddam Hussein and the United States of course are unequal in every respect, but for a decade they have been locked in a tug-of-war which puts their relative power to the test.

What can be predicted with certainty about Saddam is that for his own purposes he will seek to maximize power, no matter the abuse involved, or the cost to anyone else. His invasion of Iran in 1980 first faced Washington with what was to grow into the present quandary. Resisting, Iran was about to break through to victory, in its wake spreading Ayatollah Khomeini's Islamism. To maintain a regional balance of power, the United States supplied Saddam with aid and intelligence. Saddam's invasion of Kuwait in 1990 further exposed the fragility of the regional balance of power. No Arab state or combination of Arab states had the strength to resist a dictator with his means and his ambitions. With the armed support of the principal Arab states, the United States then expelled Saddam from Kuwait, but for legalistic reasons to do with its mandate from the United Nations did not go on to overthrow him.

By Roman Genn

Mr. Pryce-Jones is an NR senior editor and the author of, among many other books, *The Closed Circle: An Interpretation of the Arabs.*

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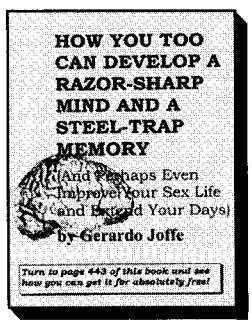
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A good deal of the current hatred in the Middle East for the United States springs from the unpredictability which followed the unexpected reprieve of Saddam at the close of the Gulf War. The United States suddenly became inscrutable—why had it allowed this enemy to live to fight another day? What ever is the point of supreme power if not to use it? Ask such questions of anyone in the "Arab street," and you will hear that Saddam must have been maintained in Baghdad as a secret agent, in order to provide Washington with a plausible pretext for moving militarily into the region. In one perspective, such conspiracy theory is laughable, but in another it is an attempt to make sense of America's otherwise inexplicable refusal to use its power as expected.

For some, though, the key to the puzzle is simpler. In Beirut in 1983, a Hezbollah suicide bomber killed 241 Marines sent to keep the peace there. When the entire force was then withdrawn in panic, a single terrorist appeared to be more powerful than the United States. In Somalia, the death of a dozen American soldiers was enough to scupper another peacekeeping mission. Since the Beirut bombing, a series of terrorist attacks claimed around 400 American lives and damaged civilian buildings, embassies, and ships, provoking in response the ineffective firing of cruise missiles and lots of language as fierce as it was empty. Osama bin Laden and his kind, and Saddam Hussein and his kind, conclude that the United States is not the power it pretends to be.

The decision in September to put the issue of Iraq into the hands of the United Nations is a victory for unpredictability. The applause for Bush's speech there has long since died away. The United Nations did not care for that plural "we." Russia and France both have pretensions to be arbiters of power, and they nurture grievances about their impotence to fulfill that role. Providing an object lesson in prevarication, these two countries have wasted weeks of time and caused the maximum international dissension. In their hands, the proposed regime change in Iraq has slithered away into disarmament, a euphemism for the status quo. Deceit of all kinds frustrated the best efforts of previous U.N. inspector teams right up to the time when they were withdrawn in 1998; and the Iraqis have now had four more years in which to disperse and conceal their weapons of mass destruction. In charge of yet another putative inspection, Hans Blix, a veteran Swedish official with no technical qualifications, is sketching out a program which will drag on well past next April when the weather becomes too hot for campaigning, and the will for regime change will largely have dissipated.

To judge by reports and rumors, parts of the American establishment—the State Department and the CIA—believe that the Russians and the French are right to want to let Saddam off the hook. Youssef M. Ibrahim, a veteran Middle East correspondent for the *New York Times*, speaks for all such in an article he published recently in the *International Herald Tribune* under the title "Bush's Iraq adventure is bound to backfire." He considers that Americans are about to walk into a deadly trap, and will end up hated by all 1.2 billion embittered Muslims. Disdainfully, he says that freedom and democracy aren't going to work in a region with no tradition of that sort of thing.

A peace party is coalescing. A stale Vietnam air is blowing across the campus, and beginning to dampen opinion polls. Not so long ago, Islamist terrorists in Karachi decapitated the journalist Daniel Pearl. A gunman in Amman has now shot dead the unfortunate Laurence Foley, chief administrator for the U.S. aid program in Jordan. The fear rises that Americans in the Middle East and elsewhere must expect such fates if their forces enter Iraq with or without a U.N. certificate of approval.

Always a bad counselor, fear stands reality on its head. Conditional surrender is far more dangerous than the assertion of power. In the event that Bush's "We're taking him out" were to translate in practice as "Words don't cost a thing," and all the military build-up had been posturing, the United States would have shown itself unwilling or unable to decide between winners and losers. Such unpredictability can only invite rage and retribution among those 1.2 billion Muslims at being misled, resulting in a reinvigoration of terror, costing the lives of Americans wherever they are open to attack. Should Saddam survive as dictator of Iraq beyond next April, power must tilt away from the United States in a world closer to chaos. **NR**

■ **THE IRS** ■

Death and Taxes

The political fortunes of the estate tax

RAMESH PONNURU

No policy of the Bush administration has drawn more withering scorn than its drive to eliminate the estate tax. In opposing the tax, Bush "kowtow[s] to plutocrats" and displays "willful obtuseness." That's the verdict of Andrew Sullivan—and he's one of the most pro-Bush pundits around.

For *New York Times* columnist Paul Krugman, the fact that only the top 2 percent of estates pay the tax means that the campaign against it is "[t]he most remarkable example of how politics has shifted in favor of the wealthy." Marshall Wittmann, another commentator, said the campaign was one of the reasons he left the Republican party this year. Conservative economist Irwin Stelzer has argued in *The Weekly Standard* that the estate tax serves the public good by promoting meritocracy. That's Sullivan's view, too.

Trying to abolish the estate tax does not, in short, win rave reviews on op-ed pages. But there is a strong case for abolition. What's more, abolition is popular. It's not a favor Republicans do for their contributors behind closed doors. Norm Coleman, Jim Talent, and John Thune—the three candidates the GOP touted all year as its best shots at picking up Senate seats—all trumpeted their opposition to the tax and accused their opponents of supporting it.

It's true that opposing the estate tax wins the Republicans support from some powerful lobbies: the National Restaurant Association, the National Beer Wholesalers Association, and the Farm Bureau, to name a few. But repeal also has broad and deep support from voters. In May, the Democratic polling firm Greenberg Quinlan Rosner found that 60 percent of likely voters favored repeal,

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with 43 percent saying they "strongly" favored it. (The only silver lining for Democrats is that voters preferred "reform" to repeal, once exposed to a series of arguments for that position.) Wittmann aside, the issue seems to be winning votes for the GOP.

Under the terms of the Bush tax cut, the estate tax is scheduled to be slowly phased out over the course of the decade. But then the tax cut expires, so the estate tax comes back in full force in 2011. Republicans are pushing to make estate-tax repeal permanent. In June, 41 House Democrats broke ranks to vote for permanent repeal. Eleven Senate Democrats—more than a fifth of Tom Daschle's caucus—voted for a resolution supporting permanent abolition.

While campaigning for re-election, Sen. Tim Johnson, a South Dakota Democrat, said he supports repeal (even though he actually voted against making repeal permanent). Democratic senator Mary Landrieu ran an ad that told Louisianans that "[s]he . . . voted eleven times to abolish the death tax."

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The economic impact of this tax is at best a secondary issue.

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Those Democrats who oppose repeal hasten to explain that they favor estate-tax relief. The estate tax currently exempts estates smaller than $675,000, and these Democrats would raise that exemption. Even the late Paul Wellstone took this tack in his re-election campaign. Estate-tax opponents, however, regard the exemption proposals as a dodge. Most of them build on an existing provision of estate-tax law that is so complicated that almost nobody ever gets exempted.

The debate over the estate tax is typically framed as a question of justice. Democrats say it is unfair to give a tax break to the super-rich or to reward their idle heirs. Republicans say it is unfair to tax the wealth that a person has accumulated over a lifetime, especially since he paid income taxes while earning it. The economic impact of the tax is at best a secondary issue. But it was concern about that impact that brought the issue before Congress in the first place.

Like other tax-policy ideas that infuriate liberals, the campaign against the estate tax originated with Arthur Laffer. In 1992, congressman Chris Cox called the famed supply-side economist and asked what tax cut would deliver the most economic bang for the buck. Laffer said getting rid of the estate tax would be at the top of his list.

The economic case against the tax is pretty simple. Being able to pass on wealth to one's children is a strong incentive for wealth accumulation. By reducing that incentive, the estate tax reduces saving and investment. Republican staffers at Congress's Joint Economic Committee estimated in 1998 that the effect of the estate tax has been to reduce America's capital stock by half a trillion dollars.

Liberals underestimate the cost of the estate tax by looking only at the 2 percent of estates that pay it. The tax generates costs for non-payers too. It's a major source of complexity in the tax code. The National Association of Manufacturers reports that 40 percent of its members have spent more than $100,000 each on estate-tax planning. The complexity of the tax also means that it is levied less on the basis of the size of a man's estate than on the shrewdness of his estate planners. In the late 1990s, estates worth between $2.5 and $5 million dollars that paid the tax actually paid a higher average tax rate than estates worth more than $20 million that paid it.

The tax forces the breakup of cash-poor family businesses. It does not appear to do much to promote economic equality, and it may even make inequality of consumption worse since it encourages the elderly rich to spend their money.

Is the estate tax nevertheless necessary to raise funds for the federal government? No. The estate tax brought in $26.5 billion—around 1.4 percent of federal revenues—last year. And that's an overestimate. In the 1980s, Stanford economist B. Douglas Bernheim concluded that because of its wealth-destroying effects, the estate tax probably caused federal revenues to be lower than they would be without the tax. Needless to say, the pro-tax pundits do not grapple with the possibility that the estate tax is a revenue loser.

But other economists do not regard the

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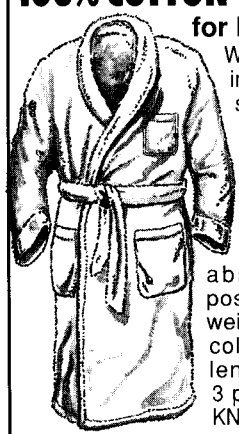

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charge as outlandish. Indeed, important aspects of the foregoing case against the estate tax have been endorsed by many prominent liberal economists—notably Clinton administration officials Alicia Munnell, Alan Blinder, and Joseph Stiglitz.

Cox was convinced that the estate tax hurts the economy. He also believed repeal was a real possibility. His home state of California had eliminated most of its estate taxes in a 1982 referendum, which passed by a landslide. In 1993, he introduced his bill to eliminate the estate tax federally.

Outside Congress, his ally was Jim Martin, the head of 60 Plus, a conservative seniors group. It was Martin who came up with the idea of relabeling the estate tax "the death tax." The phrase is a little misleading, since estate taxes hit only those who leave estates rather than everyone who dies. But Martin's rhetoric was politically brilliant, as it made the tax seem especially cruel. "Dying should not be a taxable event," he says.

In 1995, freshman Republican senator Jon Kyl of Arizona introduced Cox's House bill in his chamber. Cox, meanwhile, slowly built up co-sponsors. By 1996 there were 102; by 1998, 204.

The insurance industry has lobbied hard against repeal because it sells products designed to soften the blow of the tax. Non-profits, especially universities, believe the estate tax encourages donations. Ideological liberals have also tried to fight repeal.

But it's congressional budget rules that have kept the estate tax alive. Complying with them forced Republicans to opt for the slow phase-out followed by a revived estate tax, rather than an immediate and permanent repeal. The effect has been to make the tax code more complex rather than simpler, and estate planning harder rather than easier.

But Cox and his allies will eventually prevail—and not because the super-rich have hoodwinked large swathes of the public, as Krugman posits. The campaign to repeal the estate tax reflects deep currents in American life, albeit ones that make liberals uncomfortable. Americans don't like taxes and tend to want them eliminated if possible. They don't resent the ability of wealthy people to give their fortunes to their kids. The day the estate tax expires for good is coming. **NR**

■ **CULTURE WATCH** ■

In a Box

The case of the ossuary and the rules of archeology

JOHN J. MILLER

THE final scene in *Raiders of the Lost Ark* shows workers boxing the Ark of the Covenant and wheeling it into the middle of an impossibly huge warehouse—an object of incomprehensible significance is lost forever. It's a bit of ironic humor at the end of a rollicking movie.

What's not funny, however, is that the same fate might have awaited the most interesting Biblical object to surface in some time, a first-century ossuary with a tantalizing inscription: "James, son of Joseph, brother of Jesus." If these words are authentic, they represent the earliest historical reference to Jesus outside of the Bible. And yet the most important professional organizations for scholars in the field of Biblical history have policies that ban them from studying the object or even acknowledging its existence.

That's because the ossuary—a limestone box that might have housed the bones of James—emerged from the antiquities market rather than an archeological excavation. Somebody had looted it and sold it. Robbing ancient sites is illegal everywhere, but it is not always against the law to traffic in old objects with a shadowy past. About 15 years ago, an Israeli collector of antiquities bought the James ossuary for a modest price. He didn't know of its importance until recently, when he let French epigraphist André Lemaire take a close look. Lemaire's conclusions vouching for its authenticity were released on October 21, and they have gripped the imagination of Christians (and others) around the globe.

The Archaeological Institute of America and the American Schools of Oriental Research would prefer that they hadn't. The AIA and ASOR publish the most influential scholarly journals in their field and host the most important conferences. They also have rules against taking note of objects that lack a legitimate provenance—these items can't be written about in their publications or discussed at their meetings, at least not until an unaffiliated journal has explored it first, breaking the embargo. It conveys a bizarre sense of moral purity, not unlike refusing to open a *Playboy* centerfold but peeking after it's been displayed. More critical, though, is that this attitude threatens to deprive us of real knowledge about the past.

Everybody who cares about the study of history agrees that the looting of archeological sites is a menace. There is nothing new about it. Ancient objects are looted because people and museums want to own them, and a robust trade in antiquities has arisen to meet these desires. But "the field of archeology is substantially injured by people who loot," says Patty Gerstenblith, a law professor at DePaul University and a former trustee of the AIA. "Collectors and dealers provide the incentive to engage in this practice." Colin Renfrew, a prominent archeologist at Cambridge, is even more blunt: "Collectors are the real looters."

In 1985, the Getty Museum bought a 2,500-year-old Greek statue without a provenance for an estimated $10 million. Does injecting so much cash into the antiquities trade actually promote looting? Surely it does. Yet there's no easy way to suppress it—and the hope that it might be eliminated is not realistic. The notion that a scholarly boycott can have any impact is sheer fantasy.

Items of unusual interest inevitably appear in the marketplace. In 1947, a Bedouin boy went searching for a lost goat in the hills near Qumran. He didn't find his goat, but he did come across a cave full of ancient manuscripts. In Bethlehem, he and a friend hocked a few of them for about $14. Other caves were eventually found to contain more than 800 manuscripts—and today the Dead Sea Scrolls are recognized as the most important cache of Hebrew and Aramaic documents ever uncovered. The Israeli government now owns most of them, and they are available for scholars to study—but only because a kid looking to make a buck (or a shekel) looted them and a few buyers knew they were valuable.

Archeologists would much rather find

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objects in the ground. For them, the context of a site is often more important than its content. "A piece of charcoal might be of greater importance than a hoard of gold coins," Avner Raban of the University of Haifa has written. Scholars want to know all sorts of things: How were the objects arranged, where did human hands last touch them, what's that charcoal doing there? Archeologists look for answers when they conduct scientific excavations. Just as a new car loses value the moment it leaves the lot, ancient objects lose archeological value when they're moved. Looters simply grab and run, which also diminishes the worth of a site as a whole: It is no longer a pristine conduit for information about the past. Imagine if the ossuary box had been discovered during a proper dig. There might have been bones inside. "Maybe somebody could have done a facial reconstruction of James, or even a DNA analysis," notes Larry Herr of the Canadian University College in Alberta. (Armenian Christians claim that James's bones rest in their Jerusalem cathedral.)

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It may be unfortunate that professionals did not excavate the ossuary, but it is fortunate that the thing exists at all.

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An archeologist didn't uncover the ossuary, so opportunities to learn more about it are gone. It will also have permanent doubters. According to one theory, the box itself is old but the inscription phony. "The only way to guarantee something's genuine is to dig it up," says Ellen Herscher, a Washington, D.C.-based archeologist affiliated with the AIA. Adds Gerstenblith, the DePaul professor, "The box [by itself] really doesn't tell us much we didn't already know because most people accept the historicity of Jesus."

It may be unfortunate that professionals did not excavate the ossuary, but it is fortunate that the thing exists at all. The precise relationship between Jesus and James is an old debate. Protestants tend to think they shared the same parents; Roman Catholic theologians, sticking to their belief in Mary's perpetual virginity, have suggested that Jesus and James were

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cousins. The words on the box would seem to cast doubt on this latter interpretation, though it remains possible that Jesus and James were children of the same father but not the same mother (which is what the Eastern Orthodox Church teaches). At any rate, it gives scholars and the rest of us plenty to mull over.

But for an unconventional channel, the public might have remained in the dark about the box. André Lemaire published his research in *Biblical Archaeology Review*, a maverick magazine that ignores the dictates of the AIA and ASOR and presents scholarly information to interested lay readers. Its editor, Hershel Shanks, abhors looting—as well as the attitudes of the professional organizations. "Many academics like to vilify the antiquities market," says Shanks. "They need to realize that there are bad collectors and good collectors. The bad collectors are the ones who buy things and stash them in their basements. The good ones open their collections to researchers and eventually donate what they own to public institutions."

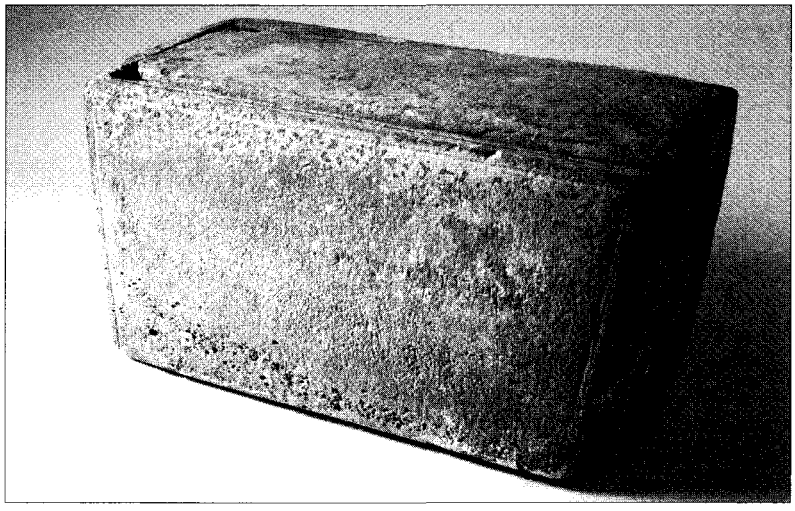
Demonizing collectors as a class simply increases the incentives for the good ones to turn bad and the bad ones to stay that way. It's no accident that the owner of the ossuary has chosen to remain anonymous. He's trying to be a good collector by letting the world know what he owns, but he also doesn't want to be attacked as a grave robber by academic archeologists.

Scorn for the antiquities trade may actually complicate the problems archeologists want to address. If the marketplace were legitimized, more collectors would conduct their business in the public eye. That would hurt forgers because buyers would place a greater emphasis on authenticated items.

The real answer is not simply to tolerate the market but to embrace it by permitting the direct sale of artifacts to the public. This is apostasy among many professional archeologists, but the benefits would be enormous. If they were allowed to sell some of what they dug up, they would have more money for the protection of existing sites and the exploration of new ones. Most looters are peasants trying to earn a little extra money; they might be just as glad to be hired as diggers at excavation sites.

This would solve another problem. Museums around the world are running short on space to store all the items that archeologists unearth. The University of Arizona museum, for instance, has 20,000 pieces of pottery kept out of sight in two old buildings that lack proper environmental controls. "About a third of our collection has been damaged, and there are collections elsewhere that have been completely destroyed by this same process," said museum official Miriam Nickerson in the *Arizona Daily Star*. The situation is even more desperate in developing countries. It would make sense for them to discriminate between which objects must be held and which might be sold.

It's been said that archeologists handle priceless objects for poor pay. If they could attach a few price tags, though, we'd all wind up the richer for it. **NR**



Getty

Ossuary of the hour

■ **CULTURE WATCH II** ■

The Color of Killing

PC and the snipers

ROB LONG

If you plug the phrase "angry white male" into Google, you get about 247,000 results, which isn't really all that many when you consider how many white males get their phone service from Verizon.

The assorted profilers and pundits who so confidently fingered the Angry White Male during last month's sniper manhunt should be forgiven their bone stupidity. Here they were, all dressed up in their new camera-friendly clothes, brushing the green-room doughnut crumbs off their tie, when the host turns to them and puts on the serious-host face and asks, "Who are we looking for here?"

I mean, who knew? You're a profiler, right? So profile. There could be a book deal in this whole thing (*Profiles in Madness* or *Is Your Neighbor an Angry Killer About to Explode?*), so don't blow it. Play the odds. Who is it most *likely* to be? Which personality type is riddled with rage and crushed by feelings of impotence? Quick: How many Verizon customers are there?

And the media professionals—your *New York Times* reporters and your network anchors—can't really be blamed, either. They'll plug "Male comma Angry White" into any available "Who Did This Bad Thing?" box. Sprinkle gunplay on the top, stir in the fact that the guy is a pretty good shot to boot, heat and serve: We're looking, they said, for a crazy, furious, white gun nut from one of the red states.

And then the cops. During what must have been one of the largest manhunts in the nation's history, John Muhammad and Lee Malvo were stopped *at least three times* for traffic-related violations. *At least three times!* I know, I know: They were looking for a white van and a white man. They were looking for a "regular guy,"

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according to the profilers. "A guy who probably has a job and a house and a vaguely unsatisfactory sex life," they asserted confidently. (To which I tug nervously at my collar and ask in a squeaky voice, "Just *how* unsatisfactory are we talking about, here?")

But still. Didn't the officers notice something odd about the duo? Didn't they think it was strange that these two men were sleeping in their car? You mean to tell me that the boy, Lee Malvo, wasn't just a titch nervous, that his eyes didn't dart around? Didn't they notice anything? Didn't they hear the spooky music in the background?

Whoops. I guess I'm already watching the movie version. You can always tell who the bad guy is in movies, because whenever he appears—and it's always a he—they play weird, spooky, psycho-killer music. "That must be him," you whisper to your movie-going companion, "because, boy, that's some spooky music." "Shhhhh!" says the angry white person behind you, noting one more irritant in his already itchy life that he'll bring up with his friends in one of those gun-nut chat rooms.

In the movie version of the Washington sniper (*Blood County* or *Caprice of Death*), it'll be wall-to-wall spooky music, as Don Cheadle and some young actor drive around the streets of Toronto (much cheaper to film there than Baltimore, let me tell you) as Chief Moose (Denzel Washington) misses his kid's soccer game because, well, *somebody's gotta kick some sniper ass, son, and you're looking at the guy who's gonna do it.*

Unfortunately, though, that's not the movie that was playing for three weeks in the Baltimore-Washington-Springfield, Va. area. Despite the best efforts of the profilers and the media liberals who want everything to be about white men and guns, the reason the cops didn't hear the spooky music is that John Muhammad and Lee Malvo weren't *that* kind of killers. They weren't the Jeffrey Dahmer gonna-eat-my-boyfriend type or the David Berkowitz gonna-kill-some-slutty-teens type or any of the types that call for off-kilter camera angles and subjective dolly-tracking and a spooky musical underscore. They were the Timothy McVeigh type, and we all know what that means.

Poor Tim McVeigh didn't deserve creepy theme music. He wasn't scary, or spooky, or really much of anything. He was a not-so-bright kid who ate a steady diet of childish political nonsense about black helicopters and Jewish bankers and decided to commit an act of phenomenal evil because, well, because he *could*. Of course he had deep-seated psychological motivations—doesn't everybody, for everything?—but his primary motive was political. Evil, but political.

The result was that an entire ugly political movement—the militias, the Ruby Ridgers—collapsed along with the federal building in Oklahoma City.

And the Muhammad/Malvo case? Here we have a guy who converted to Islam, held strong anti-American views, praised the September 11th murders, claimed sympathy with al-Qaeda, spoke to acquaintances of his plans for violence, and ultimately made good on those plans in the company of an illegal alien. He even shot up a synagogue in Tacoma! Who says this guy doesn't fit a profile? He's the very picture of a profile. Just not the one the media and the professionals and the cops were using. They were looking for a crazy-crazy; they should have been looking for a *political*-crazy.

If the paranoid, sour brew of the militia movement produced a weakling like McVeigh, isn't it likely that the same set of circumstances produced a John Muhammad? Consider the nonsense that has been circling in the black community for the past few years: AIDS is a CIA plot; Jews were and still are secret slavemasters; Ron Brown was assassinated; Bush knew about September 11th well before the date; crack was introduced into the inner city by the federal government; O.J. was innocent . . . And the response from the establishment media has been to murmur low and nervously look the other way.

Oh, sure, every now and then somebody overhears a particularly insane comment by a Maxine Waters or a Louis Farrakhan and it appears on page A21 of the *New York Times*—printed, if it's possible, in a font called Embarrassed Liberal—but there's no real outrage, no real follow-up. Of *course* Maxine Waters is a nut, the liberal media types will say. Everybody *knows* this. What's the *harm*? Well, if the militia movement bears some responsibility for scrambling the brains of Tim McVeigh, who bears the responsibility for doing the same to John Muhammad? And why isn't anyone even asking that question?

Because, for liberals, it's easier—and in a really sick way, more satisfying—to toss out the profile of the typical serial killer, to heap scorn on the experts and the pundits, than to confront the witch's brew of paranoia, anti-Semitism, and political nonsense that sculpts a John Muhammad into a psychopath and that outfits like the *New York Times* indulge and pooh-pooh. Rather than focus on what the sniper movie really was about, the media liberals have decreed that the movie isn't about political rage or destructive paranoia, but about *diversity*. Turns out the guys were *black!* What excellent news! Just as there are now black doctors and lawyers and accountants and golf pros and everything else, now there are even black psycho killers! And you nasty Republicans want to dismantle affirmative action right when we're making such *progress*?

Thus the weird glee with which the *Times* reports that "black serial killers occur in roughly equal—or even slightly greater—proportion to the number of blacks in the population." Terrific news! Diversity works! Or this: "White. Black. Men. Women. Young. Old. The snipers killed them all." Great! So there's no real need to get into anything remotely racial, right? I mean, talk about your Rainbow Coalitions! All that's missing are Verizon customers. **NR**

The Right Reaction

NATIONAL REVIEW

"I'm not a political conservative, but one of my favorite publications is William F. Buckley's NATIONAL REVIEW."

—Liz Smith, from her syndicated column

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COVER STORY

Bomb Canada

The case for war

JONAH GOLDBERG

IT's quite possible that the greatest favor the United States could do for Canada is to declare war on it. No, this isn't a tribute to *South Park*, the TV cartoon that popularized a song—"Blame Canada"—calling for an outright invasion of our northern neighbor. A full-scale conquest is unnecessary; all Canada needs is to be slapped around a little bit, to be treated like a whining kid who's got to start acting like a man. We've done it more than once, and we've threatened it plenty of times. Thomas Jefferson told President Madison that conquering Canada would be "a mere matter of marching." Of course, that advice resulted in the burning of the White House in the War of 1812, but the U.S. still came out ahead. Why would a new war be necessary? The short answer is: *to keep the Canadians from being conquered by the United States*. In effect, it would be a war to keep Canada free. But first some background.

Five decades ago, historian Frank Underhill wrote that the Canadian is "the first anti-American, the model anti-American, the archetypal anti-American, the ideal anti-American as he exists in the mind of God." In a sense this isn't really true. Philosophically and politically, the New Soviet Man was a superior anti-American: He not only hated America but had a blueprint for its replacement. After all, the perfect anti-American must be pro-something else; he must offer a viable alternative to that which he detests.

Canadian anti-Americanism does none of this. It is anti-American by reflex, which is to say that when America goes about its business, Canada flinches and calls this tic "the Canadian way." It was ever thus: The very formation of the Canadian state was, quite literally, a flinch in response to America's muscle-flexing. Canada's 1867 confederation, according to most historians, was the direct result of Canada's not-unfounded fears that the battle-hardened Union Army would turn its sights on Canada the way a still-peckish lion lazily turns on a fat gazelle. The Canadian Mounties, perhaps the most enduring symbol of Canadian pride and rectitude, were created to restrain the tomfoolery of American whiskey traders. They chose their red tunics solely to distinguish themselves from the Union blues of the American cavalry. It may even have been Americans who came up with the Mounties' famous motto, "They always get their man."

Mr. Goldberg is editor of National Review Online.

THE SICK MAN OF NORTH AMERICA

Virtually all of Canada's public policies were born out of a studied contrariness to U.S. policies, real or perceived. Canada's disastrous health-care system survives because of three things: vast sums of (poorly spent) money, the limitless patience of Canadian citizens who are regularly willing to wait between four and eight months for necessary surgeries, and the widespread fear that any reform might constitute "Americanization." There's every reason to believe that Canadians would embrace at least a few market reforms—which might, for example, reduce the wait for an MRI from a national median of 12.4 weeks—if only it didn't seem like capitulation to "American-style" health care. But Canada won't even legalize private health insurance as long as this is perceived as Americanization. It is a matter of national pride to have a "different"—i.e., worse-but-more-egalitarian—health-care system than they do south of the border (I mean south of *our* border: Canada has fewer MRI machines per capita than Latin America).

The accusation of wanting to "Americanize" healthcare is a Medusa's head any politician can use to petrify opponents. Mike Harris, the premier of Ontario, declared in a 2001 TV interview: "If we're going to have a universal system . . . we should not be afraid to say, 'Can the private sector run this hospital better? Can they provide this service better? If they can, why should we fear that?'" The reaction from editorialists and the health-care community was one of near-total condemnation—including the charge of "Americanization."

At a conference sponsored by the Fraser Institute, a free-market-oriented Canadian think tank, I listened to a speech by Preston Manning, a founder of the conservative New Alliance Party. I sat next to David Gratzer, a Canadian health-care expert and physician. "This guy is sort of the standard-bearer for free-market conservatives in Canada," Gratzer said, gesturing at Manning, "and he's to the left of Sweden."

Gratzer was serious. Over the last ten years, Sweden has introduced a host of fee-for-service reforms, and the government now permits private health insurance. These moves have reduced waiting periods for equipment and surgeries, by 50 percent in some cases. Canada is the only industrialized democracy in the world that flatly prohibits private insurance of any kind. One wonders why they don't just call it Swedenization and get to work.

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Indeed, in the last election Prime Minister Jean Chrétien campaigned on a promise to shut down private MRI clinics that had sprouted up to meet demand. Chrétien argued that such clinics undermine the ideal of universal health care; not a single major party objected. The result was predictable: Hospital parking lots in Michigan are full of Canadian license plates. And in Saskatchewan—the province where Canadian socialized medicine was born—the phone book displays an ad for a clinic in North Dakota. It reads: "Need Health Care Now?"

Health care is only the most prominent example of the Canadian ethos being frozen in the headlights of anti-Americanism. The dysfunctional state of Canadian democracy is partially attributable to Canada's fears of seeming too American. Preston Manning speaks about the need to permit cross-party coalition building in parliament—yet he is very quick to caution that Canadians don't want "American-style" politics. But Canada is barely a functioning democracy at all: Its governmental structure, if described objectively, is far more similar to what we would expect in a corrupt African state with decades of one-party rule. Jeffrey Simpson, who might be called the Canadian David Broder, has even written a book entitled *The Friendly Dictatorship*, which sports on its cover a doctored photo of Jean Chrétien in a Pinochet-style military tunic. Simpson argues not only that Chrétien is the "Sun King" of Canada, but that the government itself is designed to be for all intents and purposes a secular monarchy. In Canada, the prime minister appoints the entire senate and has a level of control over members of parliament that would make Tom "The Hammer" DeLay surrender his whip. If one of Chrétien's fellow Liberals fails to toe the party line, the prime minister has the power to kick him out of the party and even to refuse to ratify his election papers.

THE AMERICANIZATION OF NANOOK?

In fact, nothing would be better for Canada than a rabble-rousing, American-style democracy. It's not as if Canada had no conservatives: The western region, for example, is remarkably similar to America's in its laissez-faire attitude, but the stagnant political system simply doesn't permit the expression of such regional differences at the federal level. Canada's senate was intended, like America's, to represent regional interests—but because theirs is appointed by the prime minister, its senators tend to be geriatric cronies appointed as a reward for sycophancy.

One reason Canadians are reluctant to reform this bizarre system is that Canadian culture confuses its quirks with its character. Feeling swamped by U.S. culture, Canadians have stitched together a national identity from whatever's lying around. They try to plug leaks by restricting foreign ownership of bookstores and mandating huge quotas for homegrown cultural products. Canadians cling to this barely seaworthy raft, and are loath to untie a single plank from it. This explains the famous Canadian radio survey which asked listeners to complete the phrase, "as Canadian as . . . " (looking for something like "as American as apple pie"). The winning response was: "as Canadian as possible, under the circumstances."

Consider, also, the rant of Molson Joe: "I'm not a lumberjack or a fur trader. I don't live in an igloo, eat blubber, or own a dogsled. I don't know Jimmy, Suzie, or Sally from Canada, although I'm certain they're very nice. I have a prime minister, not a president. I speak English and French, not American. And I pronounce it 'about,' not 'a-boot.' I can proudly sew my country's flag on my backpack. I believe in peacekeeping, not policing; diversity, not assimilation. And that the beaver is a proud and noble animal. A tuque is a hat, a chesterfield is a couch. And it's pronounced zed. Okay? Not zee. *Zed.* Canada is the second-largest land mass, the first nation of hockey, and the best part of North America. My name is Joe and I am Canadian."

Health care is only the most prominent example of the Canadian ethos being frozen in the headlights of anti-Americanism.

This is the text from a Molson beer commercial that first appeared in movie theaters two years ago. It has made "Molson Joe" a figure of Paul Bunyanesque stature in Canadian life. The public reacted to the ad as if it had announced V-J Day: Schoolkids quoted it; parents loved it; Sheila Copps, Canada's heritage minister, even showed it at an international conference on American cultural imperialism. This national bout of St. Vitus's Dance over a mildly amusing beer commercial is a manifestation of Canada's obsession with its own inferiority complex. Canadian bookshelves groan with self-help books for the Canadian soul: *Why I Hate Canadians*; *Nationalism Without Walls: The Unbearable Lightness of Being Canadian*; *Lament for a Nation*; and many dozens of others.

The *Washington Post*'s former Canada bureau chief, Steven Pearlstein—an American—set off a firestorm with an essay noting that Canadian identity is being threatened by America's overwhelming cultural and economic influence. This point has, of course, been made by one Canadian journalist or another pretty much every day for the last century; but, for some reason, when it appeared in an American paper it was considered an outrage. Pearlstein wrote: "Over the years, Canadians might have coalesced around a shared sense of history but for the fact that they have so little of it they consider worth remembering. The country never fought a revolution or a civil war, pioneered no great social or political movement, produced no great world leader, and committed no memorable atrocities—as one writer put it, Canada has no Lincolns, no Gettysburgs, and no Gettysburg addresses."

Victoria Dickenson, director of Montreal's McCord Museum of Canadian History, mouthed the typical reaction when she sarcastically exclaimed: "Gosh, if we could just massacre some people!" Journalists swarmed famous Canadian historians asking them to preen about Canada's morally superior history—which, Canadians boast, is an evolution, not a revolution. They noted that America—what with slavery and war and all that—had no right to judge Canada.

Given all of the above, it's not surprising that when you talk to ordinary Canadians—who are, by and large, a wonderfully decent and friendly bunch—they have a ready vocabulary to explain the U.S.-Canada relationship. They talk about how America is Canada's "big brother" and how, like any younger

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sibling, Canada is naturally inclined to find fault with its more accomplished elders. But this metaphor leaves out an important part of the dynamic: Kid brothers normally express their objections not to their big brothers, but to their parents. "He failed his report card!" "He's guilty of 400 years of racism and oppression!" And so on.

For much of Canada's history, its parents could be found in the British Empire. Canada was founded largely by loyalists who rejected America's rebelliousness toward King George; it was never the prodigal son to England, but rather the good son who never left home. Even today, Canadians are vastly more deferential to their government than Americans are; by definition, loyalists do what governments say, rebels don't. With independence, the Canadians were left without a parent to suck up to and with a resented brother who was now their only real protector. Indeed, the U.S. has supplanted dear old Dad as the most important player on the world stage; this new circumstance has prompted Canadians to find a surrogate parent in the United Nations. And that's a real problem, for both Canada and the U.S.

KOFI ANNAN'S NEWFOUND LAND

It is no exaggeration to say that Jean Chrétien is no friend of the United States. Shortly after 9/11 he made a series of idiotic remarks about how America essentially deserved what it got from al-Qaeda: We were attacked because we are too rich and arrogant, and the rest of the world is too poor and humble. He's never backed off those remarks and has even reiterated them. Chrétien's view is the settled opinion of most of Canada's intellectual class.

The Chrétien government believes that the war on terrorism is basically illegitimate. Hence Chrétien's mortifying foot-dragging before visiting Ground Zero; his insistence that it wouldn't be right to outlaw Hezbollah on Canadian soil; and his government's absurd hissy-fit over America's attempt to police its borders against immigrants from terrorist states who try to come through Canada. These policies are partly the product of a longstanding Canadian desire to be the U.N.'s favorite country: Breaking with its immediate family—the U.S. and Britain—Canada has found a new family in the "international community." Canada has internalized the assumptions and mythology of U.N.-ology: not just anti-Americanism but also the belief that Western nations don't need military might anymore. As a consequence, Canada is simply unarmed.

"Canada has never been able to defend itself," says Barry Cooper, a Canadian defense expert. "We've always had to rely on coalitions, be they British, French, or the Americans." The difference today, notes Cooper, is that Canada pretty much has no interest in even contributing to the coalition. Canada's military has an immensely proud tradition and by all accounts Canadian warriors remain an impressive lot, but they are ill-equipped and increasingly under-trained.

Canadians have long talked about how they are a "moral superpower" and a nation of peacekeepers, not warriors. While they were never in fact a moral superpower—when was the last time a dictator said, "We'd better not, the Canadians might admonish us"?—Canadians were at one time a nation of a peacekeepers who helped enforce U.N.-brokered deals around the world (Suez 1956, Congo 1960, etc.). Today, Canada ranks Number 37 as a peacekeeping nation in terms of committed troops and resources, and it spends less than half the average of the skinflint defense budgets of NATO. Chrétien talks about not sending troops to Iraq; in truth, even if Chrétien wanted to join the Iraq invasion, Canada's role would be like Jamaica's at the Winter Olympics—a noble and heartwarming gesture, but a gesture nonetheless.

Despite Canada's self-delusions, it is, quite simply, not a serious country anymore. It is a northern Puerto Rico with an EU sensibility. Canada has no desire to be anything but the United Nations' ambassador to North America, talking about the need to keep the peace around the world but doing nothing about it save for hosting countless academic conferences about how terrible America is. It used to be an equal partner in NORAD, but now chooses to stay out of America's new homeland-defense plans—including missile defense—partly because it reflexively views anything in America's national-security interest to be inherently inimical to its own, partly because it draws juvenile satisfaction from being a stick-in-the-mud. In a sense, Canada is the boringly self-content society described in Francis Fukuyama's *The End of History*, except for the fact that history continues beyond its shores.

Despite Canada's self-delusions, it is, quite simply, not a serious country anymore.

Naturally, America is going to defend itself with or without Canada's cooperation, but this self-Finlandization has serious consequences nonetheless. If, for example, al-Qaeda launched a September 11-style attack from Canadian soil, we would have only two choices: ask Canada to take charge, or take charge ourselves. The predictable—and necessary—U.S. action would spark outrage.

We certainly don't need the burden of turning "the world's longest undefended border" into one of the world's longest defended ones. And that's why a little invasion is precisely what Canada needs. In the past, Canada has responded to real threats from the U.S.—and elsewhere—with courage and conviction (for instance, some say more Canadians went south to enlist for war in Vietnam than Americans went north to dodge it). If the U.S. were to launch a quick raid into Canada, blow up some symbolic but unoccupied structure—Toronto's CN Tower, or perhaps an empty hockey stadium—Canada would rearm overnight.

Indeed, Canada might even be forced to rethink many of its absurd socialist policies in order to pay for the costs involved in protecting itself from the Yankee peril. Canada's neurotic anti-Americanism would be transformed into manly resolve. The U.S. could quickly pretend to be frightened that it had messed with the wrong country, and negotiate a fragile peace with the newly ornery Canadians. In a sense, the U.S. owes it to Canada to slap it out of its shame-spiral. That's what big brothers do. **NR**

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Headache upon Headache

Questions of Iraq, nukes, and occupation

ADAM GARFINKLE

THE problem with the Iraq debate is that as soon as one tough question appears to be settled, another even harder one rises to take its place. For example, suppose one concludes—as I have—that the narrowly defined security risks of going to war against Iraq are smaller than the risks of waiting and watching for trouble to multiply. That is an important question, and just six months ago, most war hawks and doves alike thought it the only one to hand. But it has only led to another: If the United States goes to war either alone or without U.N. Security Council sanction, would the possible damage to its reputation for generous and benign international conduct be severe enough to reverse that judgment? And even if one gets by that question and is still inclined to war—as I am—a third, related question compounds the calculation: What is the United States to do with Iraq once it gets it?

Clearly, the United States would do itself no good, and Iraq's neighbors palpable harm, were it to leave Iraq before stabilizing the country in its present territorial configuration, accounting for all stocks and precursors of weapons of mass destruction, and ensuring that Iraq does not become a failed-state incubus for future terrorism. That such dangers are real becomes clear if we assess objectively the aftermath of the war against the Taliban—something the administration has not been wont to do publicly, so that few Americans realize how badly the U.S. government has erred there.

We have abetted the creation of a very narrowly based government in Afghanistan that has no chance to enact even a traditional form of decentralized rule acceptable to the majority of the country's population. Not only is that government minoritarian Tajik in a country whose center of population and political gravity is Pashtun, but only those in a single Tajik valley, the Panjshir, can hear the heartbeat of power. Thus, to strengthen the government of Hamid Karzai (a Pashtun figurehead on a Tajik physique) and to build an Afghan army amounts to inviting a new phase of civil war—with ourselves bound to one side and other external powers in league with the other. One of those powers is Pakistan, whose own Pashtun population, along with Taliban remnants it is loath to root out,

Mr. Garfinkle is editor of *The National Interest.*

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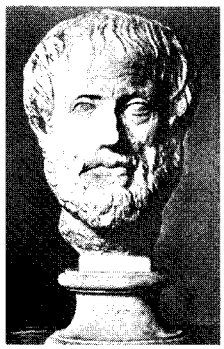

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make up its prospective tools of influence in a renewed Afghan civil war. That war could easily coincide with or even lead to conflagration and extreme danger in Pakistan, where Karachi is the new Al-Qaeda Central—only a bus ride away from Pakistan's nuclear-weapons arsenal.

It is not that we did "too little" in post-war Afghanistan; it is that what we did do was done timidly. The U.S. military chose to fight by proxy, and the National Security Council declined to stop the Northern Alliance from seizing Kabul, lest it lose future options to deploy Afghan warlords against Taliban and al-Qaeda survivors rather than U.S. soldiers. The result is not only a narrow government, incipient civil strife, and a consequent inability to get at perhaps thousands of trained terrorists, but a lack of respect for U.S. power and mental discipline throughout the region. Of course, Iraq is not like Afghanistan, either in historical, social, or military terms. But the U.S. track record in Afghanistan inspires little confidence that the civilians in and around the Oval Office have got the grip they need on the U.S. military to finesse their way through the tricky political terrain of southwest Asia.

But if doing too little in a post-war Iraq could be dangerous, trying to do too much could be much worse. There are two forms of such overreaching: imperial *Machtpolitik* and muscular Wilsonianism.

If doing too little in a post-war Iraq could be dangerous, trying to do too much could be much worse.

The former would have the United States occupy Iraq in order to control its oil, thereby gaining both power of intimidation against Iran and decisive leverage against Saudi Arabia, a country that many consider to be at the bottom of our problem with once and future 9/11s. The latter would have us transform 22 Arab countries and the Muslim world beyond into liberal democracies, thus getting at the root causes of Islamist terrorism. Either such effort, or a tossed and turned combination of the two, would in due course cause future Osamas to pour off a newly invigorated assembly line of Middle Eastern resentment, and head in our general direction. Whatever its stated Wilsonian predicates, U.S. actions would be understood in the imperial tense, for the United States would inherit with a vengeance the European colonial mantle of a previous era in the Muslim world, and the image of an aggressive Christendom for centuries before that. Even the cleverest U.S. "hearts and minds" public diplomacy would bounce off a civilization whose infosphere remains impervious to alien ministrations. Indeed, the more sophisticated our efforts, the more their intended recipients would fear our conspiracies.

The potentially counterproductive impact of a war against Iraq could rise sharply if American troops end up killing lots of Iraqi civilians, or if Saddam manages to draw Israel into a war in parallel with the United States. Should the worst happen both during and after a war, it would represent bin Laden's greatest triumph: He will have used terrorism exactly as the manual directs—to get the target of terrorist action to harm itself in a way that the terrorist attacker cannot achieve on his own. He will have his war of civilizations, and he will have put maximum pressure on his most proximate enemies: the "impious" regimes of Saudi Arabia, Egypt, and the other Arab autocracies.

THE NORTH KOREAN EXAMPLE

There is yet another dilemma inherent to the Iraq problem, one that transcends the Middle East. Here our proof text is about weapons-of-mass-destruction proliferation, and it comes to us courtesy of North Korea.

The North Korean nuclear breakout shows what happens when a rogue state obtains deliverable weapons of mass destruction. It gets the United States to talk of diplomacy rather than of war, even in cases where standard-issue diplomacy-as-management has no chance of solving the problem. We may buy the same North Korean horse for the third time, but that bizarre Stalinist cult masquerading as a government in Pyongyang still will not give up its military ace-in-the-hole, any more than Saddam Hussein will ever agree to and obey an inspection regime that could truly disarm him. The North Korea disaster thus clearly strengthens the case for pre-emption against Iraq, for once Saddam gets the bomb, options will shrink even as dangers rise. In the face of newly magnified risks, U.S. allies will discount American willingness to send conventional forces into harm's way; they will smell the air and adjust their postures, and America's overall political position will face inevitable erosion in consequence. To prevent all this from happening, we must go to war.

But as all dilemmas have two parts, so does this one. While it is too dangerous to let Iraq acquire deliverable nuclear weapons, the very act of preventing it, with the North Korean example in plain sight, will send this untoward message worldwide: If you want to deter the United States from attacking you with irresistible conventional military force, better get a nuke—get it quick and get it quiet. (Is it a coincidence, after all, that North Korea redoubled its efforts right after the Gulf War, which had taught that same lesson?) And here we come up against the prospective price of acting without genuinely supportive allies. No country can deal with the proliferation problem by itself. To manage the second part of this dilemma, we need our NATO allies—Russia, Japan, and China if we can get it—to transform a strong shared interest in staunching WMD proliferation into a great-power concert to prevent it. We cannot achieve that concert if we lack decent respect, as it has been said, for the opinions of mankind.

The multiple dangers of doing too little, too much, or too timidly transform the Iraq debate from one about "whether" to one about "how," and then right back again to one about "whether." In other words, since it is true, as Raymond Aron wrote, that there are ways of conquering that transform victory into defeat, we need to either do this war right or not do it at all. But despite all the risks vested in this project, a counterproductive consequence to a war is not inevitable. To the contrary: A decisive and relatively clean American victory, sans desultory aftermath, would be a great asset in the war against terrorism. In this war, as in any other, there is no substitute for

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victory. Stunning battlefield results and sound post-war management may generate some additional resentment against the United States, but it will generate caution and respect for American power in far greater reserves.

We *can* do this right, and we must: but again, that depends on setting realistic objectives for the post-war management of Iraq—doing neither too little nor too much. If the United States plans a protracted post–World War II-style occupation and military government, logic suggests a very large invasion force to demonstrate maximum, overwhelming power, the better to inspire first dread and then awe. Such an approach appeals as if by second nature to U.S. Army brass these days, specifically to the bureaucratized impulse to force protection that has long since suborned its warrior ethos. But this form of overreaching would be too much: It would sink the United States deeper into an area where its hegemony is unnatural, and the blowback would be predictably venomous.

To allow Iraq to do what North Korea has already done would encourage terrorism, proliferation, and the nexus between the two.

If, on the other hand, the United States seeks a minimum *feasible* post-war political profile in Iraq, as it should, that suggests a smaller invasion force that would avoid targeting the Iraqi army insofar as that is possible. We would inspire more awe and respect if we decapitated the regime and won over the professional military to finish off the Ba'ath. In such a scenario, Iraqis would fight Saddam's Praetorian Guard in downtown Baghdad if necessary, and far fewer Iraqis would die by American hands. The Iraqi army, together with the Iraqi opposition we are trying to nurture, would work out the post-war political structure of the country, with the United States in a low-profile supporting role. Such an approach carries a risk of doing too little, but there are no risk-free scenarios concerning Iraq. Still, if we learn them well, both the lessons of Afghanistan, and the differences between Afghanistan and Iraq, can minimize the risks on this side.

Success is also essential for two other reasons beyond removing the literal danger of Iraqi weapons and deflating the morale of would-be terrorists. First, it would strike a mortal blow against state support for terrorism worldwide. Iraq's connection to 9/11 aside, there is no question that Iraq has been a state sponsor of terrorism. It could yet become a veritable K-Mart for WMD supplies to terrorists, and it is small comfort, given the stakes, that it has (probably) not already done so. To allow Iraq to do what North Korea has already done would encourage terrorism, proliferation, and, worst of all, the nexus between the two.

Second, eliminating Saddam's regime and its weapons programs—again, if done properly—would strengthen the present structure of peace among the great powers. Apocalyptical terrorism is a threat to the Westphalian system itself, which is why, within days of September 11, many saw what had happened as an opportunity to advance great-power peace and cooperation. This has come about to some extent (as evidenced by progress in U.S. relations with Russia and India), though an American style more given to observing the "pretense of concert"—to borrow Coral Bell's apt phrase in *The National Interest*—would have allowed it to develop faster and further. If the administration accepts the need for such pretense with regard to Iraq, as it belatedly seems to, the sinews of international peace themselves will be thickened. Contrarily, if the administration gives up the effort too soon, and goes to war in such a way that it erodes trust and cooperation among the major powers—and further estranges the United States from its feckless but still best friends in Europe—it may well end up conquering in a way that turns victory into defeat.

AGAINST THE JIHADIST CYBERCALIPHATE

How likely is this? In truth, accusations of the administration's unilateralism are exaggerated. Why else, after all, has it knocked its head against a wall over a U.N. Security Council resolution for two months? No, the problem is that, deep down, some key members of the administration may have another, even more daunting question in mind: Why take the trouble to garner international support if the international system as we know it has no future? In other words, if the emergence of murderous non-state actors and the sharp erosion of state sovereignty is inevitable given certain technological and normative trends, then restraining the use of American power to defeat such threats on behalf of systemic concerns would be like repairing a bad valve in an engine that has just thrown a rod. Such a judgment has generative policy implications. For example, if al-Qaeda does represent the dawn of a dour era—rather than a detour on the way to the liberal millennium—then why not try to democratize 1.3 billion Muslims? As any port will do in a storm, so any quixotic project can make sense in the face of an historical abyss.

This gets to the nub of present disagreements over Iraq. Some observers fault the Bush administration for mistaking exceptional circumstances for new norms. The administration, they worry, is confusing emergency requirements in dealing with terrorism for a "brave new world" in which whole new doctrines are needed for unprecedented security dilemmas. They fear that by wrecking a half century of work building the edifice of an international security and legal structure, the United States is unwittingly giving Islamic fundamentalists the key that opens the door to what they most devoutly seek: the jihadist cybercaliphate of the 21st century, doing battle against the legacy of the Enlightenment itself.

But which view is correct? Are those of our leaders who are convinced of such dire assessments truly perspicacious, or are they guilty of reactive apocalyptical thinking evoked by the skill of our adversaries? Are they visionaries, or have they been tricked out of their shoes? Does their premonition of the future reflect a mature appreciation of key trends, or is it an effluent of the conceit of the contemporary—that self-inflicted debility whereby ignorance of history convinces people that their own age is somehow unique among all ages, whether uniquely good or uniquely bad? If any of us only knew the answer. Perhaps it will come clearer after the war against Iraq, whether fought wisely or not, is over. **NR**

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Counter-Counterterrorism

The debacle pre-9/11

MARK RIEBLING

FIGHTING back tears, an agent from the FBI's New York office told Congress how his Washington bosses had ordered him *not* to track suspected terrorist Khalid al-Midhar. Precisely because the CIA had told the FBI that Midhar was an al-Qaeda operative, the FBI could do nothing: Data obtained through intelligence channels could not be used to launch a criminal investigation. Midhar was let be. Thirteen days later, he helped hijack the plane that struck the Pentagon.

The agent's testimony, delivered to a shocked audience at a September hearing of the Joint Intelligence Committee, spotlighted a grave flaw in our national-security system: the wedge between law enforcement and intelligence. Yet for all their focus on this wedge—in nine public hearings—committee investigators showed little curiosity about its origins. In a staff report, they cited rules "about using information derived from intelligence-gathering activities in criminal investigations," but did not consider how the rules arose. They merely noted that certain procedures had "developed over the last several years."

Saying "the last several years"—instead of "the Clinton administration"—did preserve the hearings' bipartisan tone. Unfortunately, it also thwarted scrutiny of the policy that caused our spy failures—a Clinton policy the Bush administration has yet to fully reject.

THE POLICYMAKING MOLE

Though President Clinton failed in his ambition to "reinvent government," he did manage to reinvent national security. His core innovation was to expand the FBI's powers while reducing the CIA's. Previously, law enforcement and intelligence had coexisted in a delicate equilibrium; Clinton pushed down hard on the law-enforcement side of the seesaw.

The rationale for this shift was provided by the FBI itself. In January 1992, the George H. W. Bush White House asked all security agencies to reassess their "post-Soviet" priorities. At that fateful moment, the chief of the National Security Threat List Unit, in the FBI's Intelligence Division, suggested a radical shift in focus: Instead of neutralizing organized secret warfare by states, the counterintelligence community should target criminal acts by loose networks of rogue actors. The collapse of the Soviet Union, it was foreseen, would provide a fertile operational field for the transnational criminal. The threat list was revised accordingly: Three hundred FBI agents were pulled from intelligence duties and pushed into international crime.

The FBI unit chief who revised the threat list, Robert Phillip Hanssen, would later confess to being a Soviet and Russian agent. But by then the new notions about national security were dogma. In May 1994, FBI director Louis J. Freeh told Congress that "criminal cartels are now richer and stronger than many nations." The *New York Times* echoed that judgment: "The threats [today] are less nations than gangs. The harm they can do the United States is . . . a law-enforcement problem."

This doctrine was refined by former Carter defense secretary Harold Brown, whom Clinton chose to head the Commission on the Roles and Capabilities of the United States Intelligence Community. Brown redefined international terrorism—traditionally considered a form of political warfare—as a form of "global crime." Terrorism joined narcotics transshipment and trafficking in weapons of mass destruction in that category; Clinton nearly always mentioned all three *together*, typically in the same sentence, as if they were the heads of one private-sector hydra, an unsponsored monster that was merely the incidental byproduct of globalization.

To counter global crime instead of global political subversion, the national-security community would have to be reoriented. During the Cold War, when the greatest perceived threat was a military one, the Pentagon had been seen as the institution that could best defend America. Now, in the age of global crime, the FBI would be the new Pentagon. Much as the Pentagon had absorbed the Army, Navy, Air Force, Marines, electronic surveillance, and satellite reconnaissance, so now the FBI became a bureaucratic Pac-Man, gobbling up national-security functions.

Presidential Decision Directive 24 (May 3, 1994), which gave the Bureau control of counterespionage, was just the start. The Economic Espionage Act and the Combating Proliferation of Weapons of Mass Destruction Act thrust the Bureau farther into CIA preserves. And on June 21, 1995, Clinton issued Presidential Decision Directive 39, which made the Bureau the pointed end of the counterterrorist spear. The purpose of PDD-39, attorney general Janet Reno said, was to "integrate the roles of all pertinent federal agencies in a comprehensive, pro-active counterterrorism program." Clinton named the FBI the "lead" agency in that effort, and—lest the importance of that distinction be questioned—PDD-39 itself specified: "Lead agencies are those that have *the most direct role in and responsibility for implementation of U.S. counterterrorism policy*" (emphasis added).

This marked a radical change. Previously, law-enforcement agencies had been passive participants in foreign policy, relegated to observer status at the National Security Council and its working groups. Now the FBI and the Justice Department would play major policy roles. In 1998 Congress directed the *attorney general*—not the president's

Mr. Riebling is the author of *Wedge: From Pearl Harbor to 9/11—How the Secret War Between the CIA and FBI Has Endangered National Security* (Simon & Schuster). He writes on intelligence issues at www.markriebling.com.

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national security adviser—to develop a five-year plan to coordinate "national policy" and "operational" capabilities to combat terrorism.

The Clinton administration deployed various fogs and euphemisms for this *coup de bureau*. Janet Reno used words like "partnership" and "coordination." National security adviser Sandy Berger invoked a corporate-merger model. Former CIA officer Robert Baer, expressing the CIA viewpoint in his 2002 book, would be less delicate: "Over at the FBI, director Louis Freeh couldn't wipe the smile off his face. He was dismantling the CIA piece by piece."

THE ROAD TO CALAMITY

Whatever the phrase, the result was plain. "When the law-enforcement juggernaut gets going," former attorney general William Barr noted, "everyone else steps out of the way." In 1996, on Clinton's orders, Freeh formed a new Counterterrorism Center, patterned on the CIA's, to "coordinate the efforts of various components of the U.S. intelligence community"—a function previously reserved to the director of the CIA. He increased the number of the FBI's overseas legal-attaché offices from 22 to 44; Baer speculated that these offices "one day will displace the CIA [stations]." The FBI also usurped the CIA's national-warning functions when Freeh created a Counterterrorism Threat Assessment and Warning Unit to assess "domestic *and international* terrorist threats" (emphasis added). When CIA director John C. Deutch spoke on terrorism at Georgetown University in September 1996, he submissively titled his talk: "Fighting Foreign Terrorism: The Integrated Efforts of the *Law-Enforcement Community*" (again, emphasis added). By 2000, Freeh was speaking openly of "FBI leadership in national security."

When Clinton signed PDD-24, which began the FBI takeover, the White House claimed the measure would "improve our ability to counter both traditional and new threats to our nation's security in the post–Cold War era." In fact, the opposite was true: For at least five reasons, treating al-Qaeda as if it were merely a foreign branch of the Bonanno crime family was a strategy that could only fail.

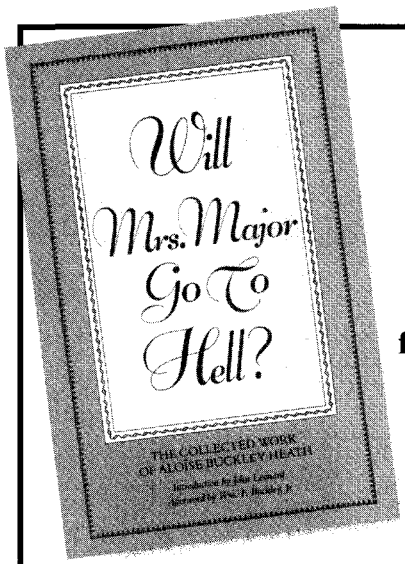
First, law enforcement traditionally reacted to crimes *after* they occurred—the very opposite of the preemptive approach required by counterterrorism.

Second, because FBI agents had no legal jurisdiction in other sovereign countries, they were at the mercy of unhelpful foreign governments, such as Saudi Arabia and Iran.

Third, a war waged on terror according to the rules of criminal procedure was no "war" at all. Janet Reno was given virtual veto power over the use of force: If the Pentagon acted on data gathered by the FBI, those actions could be considered illegal in future court cases. In 1998, while Clinton weighed whether to lob Tomahawks into Afghanistan and Sudan, Reno delayed the strikes so that Justice Department lawyers could review the implications. Bin Laden used the delay to elude the Pentagon's targeteers. Similarly, in 1996, when the White House pondered asking Sudan to arrest bin Laden and turn him over to the FBI, Justice attorneys pronounced the evidence insufficient for prosecution; bin Laden slithered to safety in Afghanistan.

Fourth, the FBI's new primacy thickened the wall between law enforcement and intelligence. CIA case officers feared that enforced support for FBI probes would open them to stricter judicial scrutiny, which would impede their ability to recruit sources. The Agency's longtime reluctance to share data with the Bureau only deepened. And as terrorism became increasingly a criminal matter, data sharing between cops and spies became more and more difficult. Because the use of secret intelligence in criminal trials raised civil-liberties issues, Reno was compelled to promulgate mazelike guidelines, walling off FBI crime inquiries from espionage probes. The Midhar debacle was a product of these procedures. With perversely perfect illogic, each vaunted new Clinton law against terrorism—each new occasion for criminal inquiry—actually discouraged the collation of intelligence on terrorists.

Fifth and finally, giving the FBI the lead role against al-



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Qaeda violated the basic rule of warfare: Know thine enemy. Though the FBI is the best police force in the world, it is not geared to the assessment of international jihad. Asking veterans of bank robbery and child-porn cases to become scholars of comparative religion, to forecast trends in a clash of civilizations, was a conspicuous case of wishful thinking. In the end, the problem would be not so much bad analysis as the lack of any analysis at all. In July 2000, Freeh's deputy assistant director for counterterrorism, Terry Turchie, said, "Since 1995 [when it became the lead counterterrorism agency] the FBI has avoided issuing comprehensive assessments estimating the threat against U.S. interests. Given the range of potential threats . . . from terrorist organizations . . . such assessments would be inherently too broad-based to provide much practical value." In short: The lead agency for counterterrorism would not analyze the terrorist threat.

RUNNING IN PLACE

Placing the FBI in charge of counterterrorism created a strategic vacuum at the heart of national-security operations. The critical stage of intelligence management—the setting of collection priorities—requires definition of the probable threat. Lacking any definition more coherent than "the threat of global crime," the FBI could only work case-by-case. That increased, to a virtual certainty, the odds that the nation would be strategically surprised. As strategic-warning specialist Richard Betts has written: "Surprise can be engendered if collectors focus on the wrong threat. Surprise can also be engendered, however, if collectors focus on all threats equally."

So it was before 9/11. "An overall assessment of the risk to America was not prepared," testified Eleanor Hill, the intelligence committee's chief investigator. "As a result, to much of the intelligence community, everything was a priority. The U.S. wanted to know everything about everything all the time." No wonder Freeh found that "analyzing intelligence" was, as he recalled, "like trying to take a sip of water coming out of a fire hydrant." In the months before doomsday, the FBI was warning the Pentagon to prepare simultaneously against attacks from hang gliders, mortars, and weapons of mass destruction. The Bureau was listening for everything, and hearing nothing.

Since 9/11 the law-enforcement model has been broadly criticized, by policy analysts and legislators alike. The congressional joint inquiry traced the 9/11 intelligence failures to "issues that transcend the Intelligence Community and involve questions of policy." Even after the 1998 African embassy attacks, Hill noted, "the United States continued to rely on what was primarily a law-enforcement approach to terrorism. As a result, while prosecutions succeeded in taking individual terrorists off the streets, the masterminds of past and future attacks often remained beyond the reach of justice."

Alas, the Bush administration has largely retained the Clinton model. The easing of Reno's strictures by the Patriot Act and the remanding of al-Qaeda prisoners to military tribunals have not changed the basic bureaucratic structure of counterterrorism. In May, President Bush actually expanded the FBI's counterterrorist mandate; and, in his Homeland Security Plan, he pledged that "the Department of Justice, and the FBI, will remain the lead law-enforcement agencies for preventing terrorist attacks."

Whether this effort should be led by a law-enforcement agency at all is an issue the administration is only now confronting. The November 4 assassination of an al-Qaeda leader in Yemen, reportedly by the CIA, would seem to mark a pronounced change for the better; under Clinton, FBI agents would simply have flashed their badges at Yemeni officials, then skulked home with empty handcuffs.

Even as the Clinton model of counterterrorism has come under withering criticism, the Bush administration has largely kept it in place.

Encouragingly, too, there's a movement to transfer the FBI's spy functions to a new domestic-security unit. As this article went to press, Homeland Security director Tom Ridge was in London, holding talks with Eliza Manningham-Buller, director of Britain's domestic counterspy and counterterrorist unit, MI5. Unlike the FBI, MI5 has no law-enforcement mandate, but specializes in the collection of intelligence. Though Ridge would neither confirm nor deny that the administration was weighing an "MI5 solution," his visit came on the heels of meetings between Senate Intelligence Committee staffers and British security officials. At least three members of that committee—Chairman Bob Graham and Sens. John Edwards and Fred Thompson—are said to be crafting legislation for an "American MI5."

Any such initiative will face serious obstacles. Civil libertarians will view a domestic spy agency as a threat to constitutional rights: Sen. Dianne Feinstein has already spoken out against the idea on these grounds. Bureaucrats will see a new security service as a grab at their turf: FBI director Robert S. Mueller has predictably gone on record against it. Finally, one of the most influential members of the Bush team—Vice President Dick Cheney—is said to oppose any radical shakeup, apparently reasoning that the chaos of dislocation would be a cure worse than the disease of incompetence.

But it's hard to imagine what *could* be worse than the incompetence that led up to 9/11. The cause of that incompetence—the Clinton law-enforcement model of counterterrorism—should be addressed and removed now. As CIA director George Tenet testified on the final day of the intelligence hearings: "I think one of the things that we've learned is, is in hindsight, the country's mindset has to be changed fundamentally. . . . Because the threat environment we find ourselves in today is as bad as it was last summer, the summer before 9/11. They [al-Qaeda] have reconstituted. . . . They intend to strike this homeland again. And we better get about the business of putting the right [intelligence] structure in place as fast as we can." **NR**

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By Rob Long

From the FBI Profiler

The Bill Simon Voter:

The Bill Simon Voter is a quiet, unassuming person. He will usually live in a "gated" community, and will be described by neighbors and associates as "friendly" and "dependable." Often works with an accomplice in a tennis dress and a sun visor, whom he refers to, ruefully, as "too good for Wal-Mart." Is often at odds with the prevailing moods and messages of the popular culture, and harbors feelings of alienation while watching his children dress in "hip hop" clothing and listening to them talk to their friends in the back seat of the Chevy Suburban. While not dangerous as a rule, the Bill Simon Voter can explode with fury at a slice into the trees and is seriously considering "ripping that damn computer out of this freakin' house, Lois, I promise I will, do you hear me?" Flashpoints: private-school tuition, Laotian family next door.

The Walter Mondale Voter:

Can be found at restaurants offering an "Early Bird" dinner, often in flannel clothing that resembles pajamas. Strongly identifies with working-class heroes of a bygone era, and often seems to be confused by self-service gas stations with automatic credit-card readers. Mixes well with other profile types (especially the Gray Davis Voter and the Jean Carnahan Voter) and is essentially a social creature. Usually has an accomplice with bluish hair. Only dangerous while merging onto a freeway or making a left turn. Flashpoints: watching someone buy a vowel when unnecessary; kids these days.

The Gray Davis Voter:

Can be found in and around areas where money is being distributed and checks are being written, which includes steakhouses in the Sacramento, Calif., area; homes in the 310 area code; and statehouse office-building parking lots. The Gray Davis Voter is a delusional creature that suffers from what experts call "Reverse Paranoia"—the constant and unfounded belief that most people like and respect him. This profile type is not necessarily dangerous, but can be remarkably tenacious when cornered. Traditionally, this type has low levels of dynamic strength but high levels of tensile strength, i.e., it can't lift, move, or in any way affect an object, but it can hang on to one. Flashpoints: bounced checks, campaign-finance laws.

The Jean Carnahan Voter:

Can be found in women's bookstores, all-night pharmacies, and outdoor-equipment retail establishments. The Jean Carnahan Voter often wears open-toed sandals with socks (this applies to both the male and female varieties) and is concerned with the cost of prescription, non-prescription, and not-quite-totally-legal medicines. This profile type is often angry and often suffering from some kind of delusional self-image, usually that of a "crusader" or "savior" figure. Often works alone, even when in groups. Often confuses simple local politics (water-bond issues, for example) with larger social politics ("Water for Womyn!") and even larger geopolitical questions ("Yes on Water Bond Question 7! Send Water To Baqubah, Our Sister City In Iraq!"). Dangerous only when making dinner, and then only to the gastrointestinal tract, and even then only for a few hours. Flashpoints: pledge week on NPR, Boy Scouts.

The Mitt Romney Voter:

As befits the profile of a Republican voter in Massachusetts, the Mitt Romney Voter is a colorful, whimsical profile type—a dreamer, a fantasist, and a believer in magic, spells, and mischievous elves. This profile type will almost always work alone—there are very few fellow profile types in the Commonwealth of Massachusetts to link up with—but will merrily go about his business without a thought to realistic outcome. The Mitt Romney Voter is not dangerous—in fact, he is totally harmless—but such a high degree of willful self-delusion needs to be monitored at all times. Flashpoints: Kennedys and Kennedy hyphenates.

The Maxine Waters Voter:

Is often found with mouth open and noise coming out. This is an extremely volatile and dangerous personality. Takes orders directly from neighbor's dog. Do not—repeat DO NOT—attempt to engage this profile type in discussion or debate. Simply sit quietly and smile and listen to profile type's rants while the proper authorities are notified. Maintain eye contact at all times to keep profile type from breaking concentration as the authorities sneak up from behind. Flashpoints: reason, Jews.

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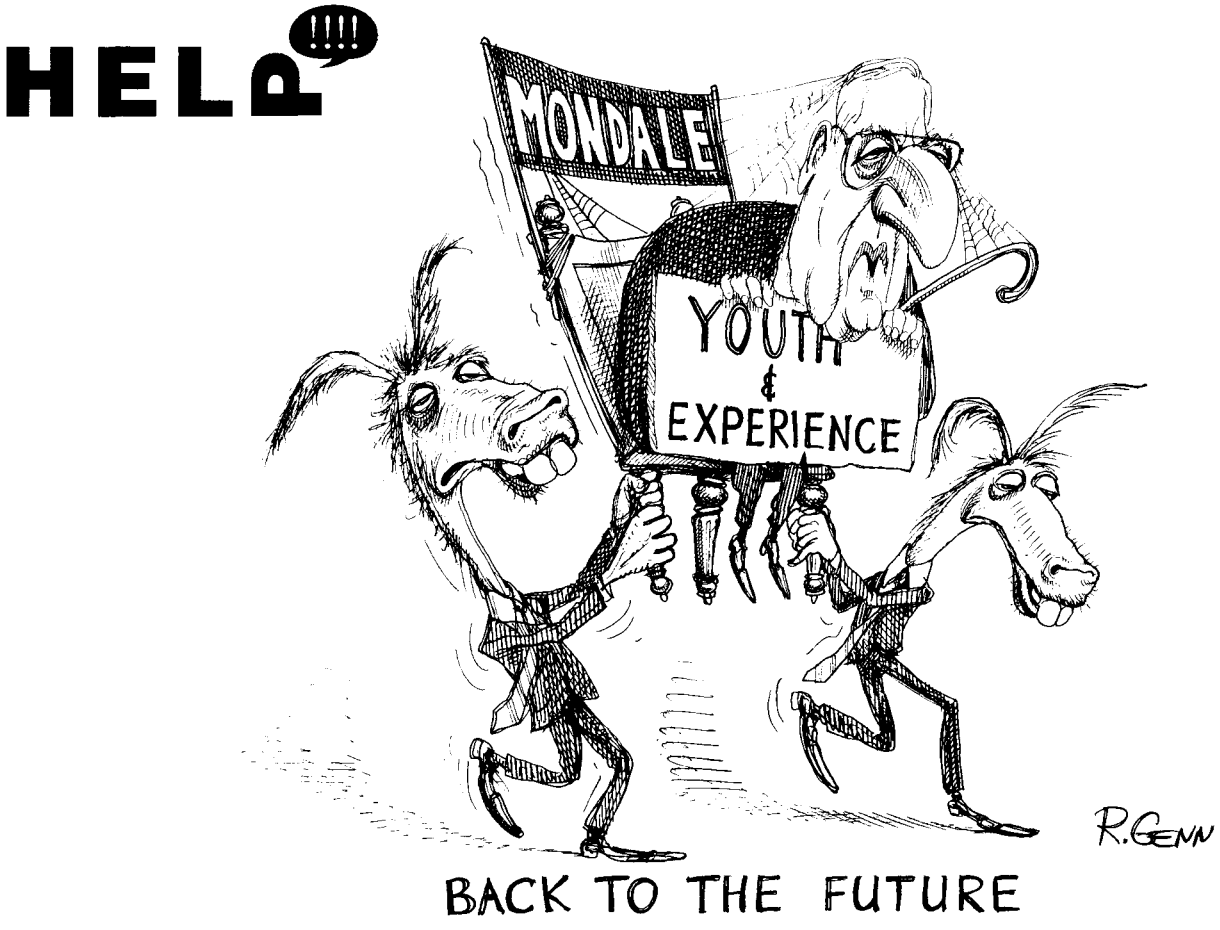
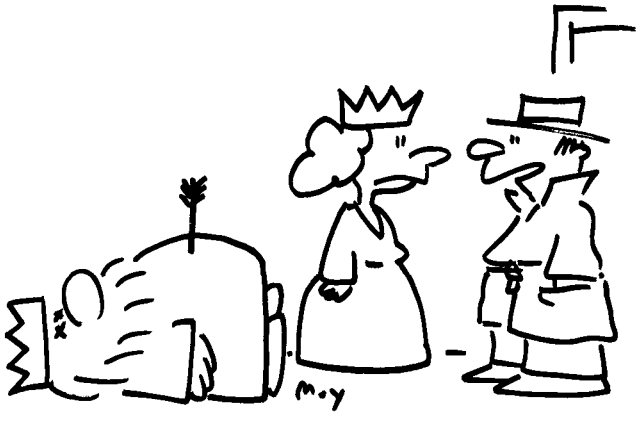


BACK TO THE FUTURE



"Did your husband have any enemies?"

President Lula

The mighty Amazon flows on.
Were he still painting, Audubon
Would find the fauna much the same;
But in Brasilia, where the name
Makes businessmen recoil the way
Snacks do that make a boa's day,
The swearing-in has less appeal.
Someone please wind up Paul O'Neill.

—W. H. von Dreele

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SMOKERS' LAWSUITS... WHATEVER HAPPENED TO SELF-RESPONSIBILITY? DOES THIS MEAN IF I BLOW MY BRAINS OUT I CAN SUE THE GUN MANUFACTURERS AND BECOME AN INSTANT BILLIONAIRE?
NO. BUT YOU WOULD QUALIFY TO BE ON AN L.A. JURY...
CAFE
AIR CONDITIONED
L.A. JURY AWARDS SMOKER $28 BIL

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THE NATIONAL REVIEW 2003

May 1-11, 2003, aboard the stunning MV *Mozart*

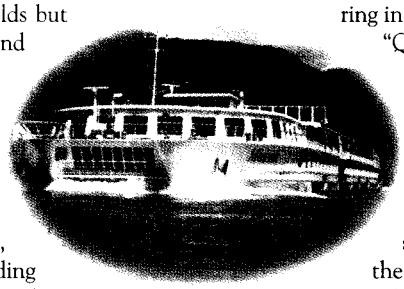
Danube River Charter Cruise

Visiting Beautiful Munich, Vienna, Budapest, Bratislava, Esztergom, Dürnstein, Grein, and Melk

in the Company of William F. Buckley Jr., Paul Johnson, Kate O'Beirne, Rick Brookhiser, and David Pryce-Jones

Join us on what will be one of the most exciting seafaring adventures you will ever experience: the ***National Review* 2003 Danube River Charter Cruise.** Featuring a sterling cast of conservative speakers, this special trip will take place May 1–11, 2003, aboard Peter Deilmann Cruises' MV *Mozart*, the world's most luxurious riverboat.

This is a *unique* opportunity to (leisurely!) visit and enjoy some of Europe's most enchanting cities and towns, in the exclusive and intimate company (the spacious and elegant *Mozart* holds but 200 people!) of fellow *National Review* sojourners and acclaimed conservative celebrities.



Headlining our seven-day sailing down the Blue Danube is **Paul Johnson**, the acclaimed British author and historian (his *Modern Times* is but one of several classics). He'll be joined by **William F. Buckley Jr.**, *NR* Washington Editor **Kate O'Beirne**, and *NR* Senior Editors **Richard Brookhiser**—Founding Fathers biographer supreme *and* razor-sharp political analyst—and **David-Pryce Jones**—a top conservative expert on Islam. (A number of other top conservatives have also been invited.)

Sign up now: Over 40 *NR* cruise "alumni" have already reserved cabins, and for good reason: They *know* the combination of a charter setting, an acclaimed ship with large cabins, a classic European itinerary, a great speaker line-up, fun parties, and *affordable* rates—*plus* a **FREE** two-night pre-cruise stay in Munich (if you sign up by December 31, should there be any cabins left by then!)—is a winning formula. Join them. If you've never been on an *NR* cruise make this your *first*.

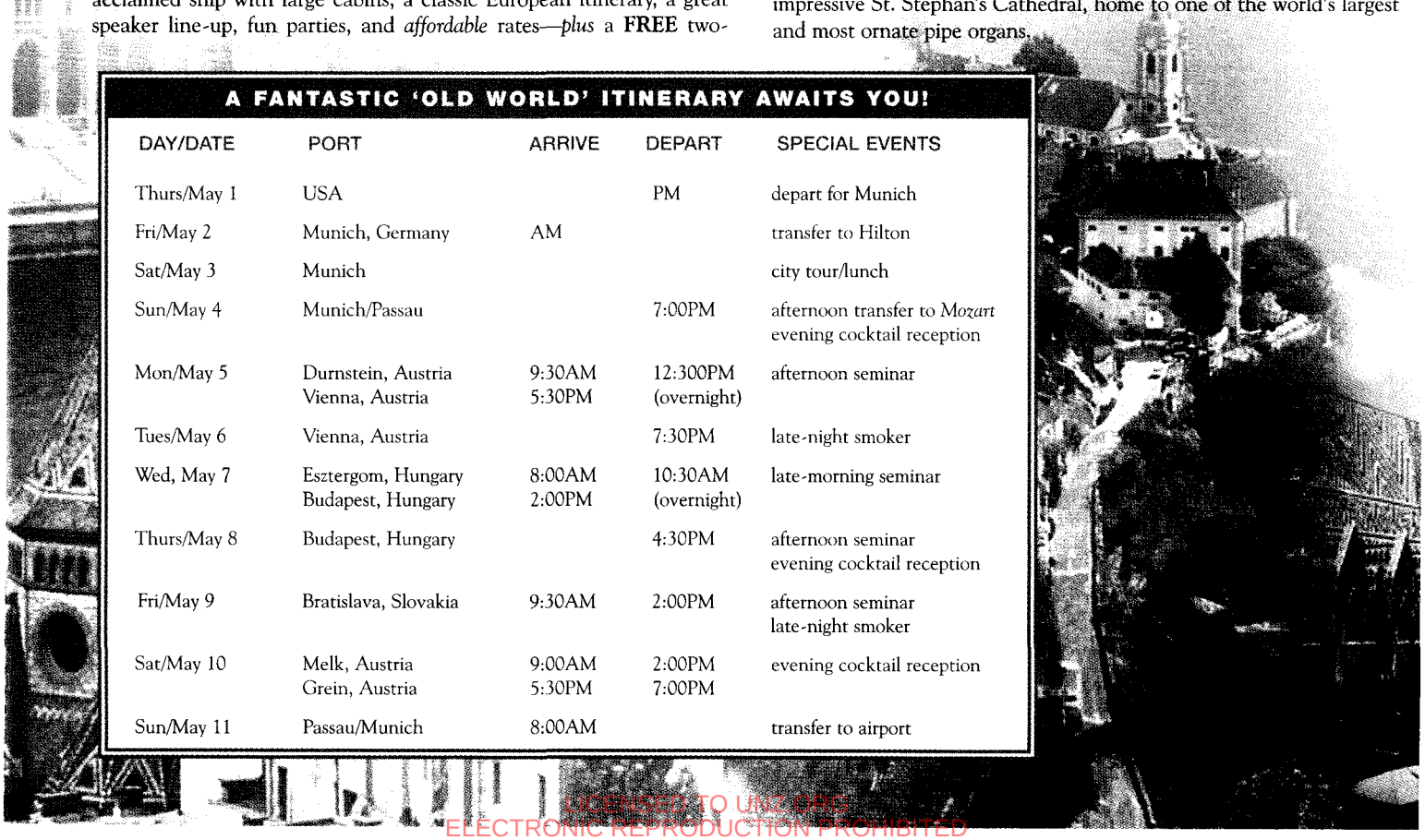
It's a decision you *won't* regret. An *NR* cruise is *the* setting to meet and intimately discuss politics, policy, national security, and international affairs with some of the most interesting and intelligent conservatives from both sides of the Atlantic. Our brilliant ensemble will be starring in five exciting seminars (allowing for ample audience "Q & A") that will provide a scintillating and unique take on current events.

On top of the exclusive "extras" *NR* offers—seminars and social events (we'll have three cocktail receptions and two late-night "smokers" featuring **H. Upmann** cigars), and intimate dining with speakers—is a *great* cruise on a *great* vessel. One of the most acclaimed ships afloat, the *Mozart* offers an unmatched way to experience the "Old World." Among the vibrant cities and charming towns we'll be visiting are:

PASSAU Our cruise embarkation/debarkation port is one of the oldest and most picturesque German cities, graced by cobblestone streets and lovely arcades. Passau is perfect for exploring—begin with the impressive St. Stephan's Cathedral, home to one of the world's largest and most ornate pipe organs.

A FANTASTIC 'OLD WORLD' ITINERARY AWAITS YOU!

DAY/DATE	PORT	ARRIVE	DEPART	SPECIAL EVENTS
Thurs/May 1	USA		PM	depart for Munich
Fri/May 2	Munich, Germany	AM		transfer to Hilton
Sat/May 3	Munich			city tour/lunch
Sun/May 4	Munich/Passau		7:00PM	afternoon transfer to *Mozart* evening cocktail reception
Mon/May 5	Durnstein, Austria Vienna, Austria	9:30AM 5:30PM	12:300PM (overnight)	afternoon seminar
Tues/May 6	Vienna, Austria		7:30PM	late-night smoker
Wed, May 7	Esztergom, Hungary Budapest, Hungary	8:00AM 2:00PM	10:30AM (overnight)	late-morning seminar
Thurs/May 8	Budapest, Hungary		4:30PM	afternoon seminar evening cocktail reception
Fri/May 9	Bratislava, Slovakia	9:30AM	2:00PM	afternoon seminar late-night smoker
Sat/May 10	Melk, Austria Grein, Austria	9:00AM 5:30PM	2:00PM 7:00PM	evening cocktail reception
Sun/May 11	Passau/Munich	8:00AM		transfer to airport



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ACT NOW: ONLY 90 LUXURY CABINS AVAILABLE—40 ALREADY BOOKED!
SIGN UP BY DEC. 31 FOR FREE PRE-CRUISE PACKAGE IN MUNICH!

PETER DEILMANN CRUISES is Europe's premier river line. Don't take our word: *Condé Nast Traveler* readers recently voted it the world's *best* line for destinations and food, and second-best for service! A Deilmann cruise is an unqualified luxury experience!

The unrivalled MV *Mozart* was completely refurbished in 2000, and is resplendent with polished rosewood and original art. Its many amenities include the Panorama Lounge, the Don Giovanni Bar, the Café Amadeus, a gift shop and beauty salon, a library, plus an indoor heated pool, whirlpool, sauna, and solarium/massage center. On the wide-open Sun Deck you can relax on a deck chair and take in the stunning riverbank and countryside.

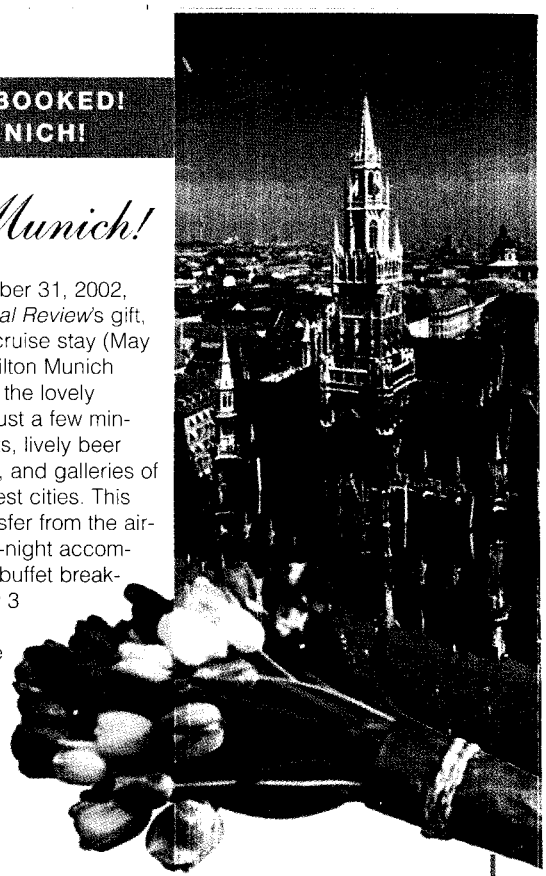
All the *Mozart*'s staterooms (there's but one category) are phenomenal by industry standards: Each is a very large 203 square feet and features built-in wardrobe space, color TV, mini bar, dressing table, sofa, coffee table, shower and toilet, telephone, and an audio entertainment center. The large marble bathrooms have a hairdryer and terry robes, and all cabins have large port or picture windows. There's just no better way to see the heart of Europe! And it's *very* affordable. Prices for the ***National Review* 2003 Danube River Charter Cruise** (includes all gratuities, port fees, and transfers—for Fly-Cruise packages—meals, entertainment, and participation in all *National Review* seminars, cocktail receptions, and smokers) are

DOUBLE OCCUPANCY RATE: only $3,999 p/p

SINGLE OCCUPANCY RATE: only $6,999

Ahh ... Munich!

Sign up before December 31, 2002, and receive, as *National Review*'s gift, a FREE two-night pre-cruise stay (May 2–4) at the luxurious Hilton Munich Park hotel, adjacent to the lovely English Gardens and just a few minutes from famous sights, lively beer gardens, art museums, and galleries of one of Europe's grandest cities. This package includes transfer from the airport to the hotel, a two-night accommodation, taxes, daily buffet breakfast, a city tour on May 3 (including lunch at the Hirschgarten, on of the city's most famous "beer gardens") and a transfer from the hotel to the *Mozart*. We believe it's a great way to make a great trip . . . *greater!*



DÜRNSTEIN In the heart of the Wachau wine region, where vineyards lace softly rolling hills, you'll find the ruins of the Kuenringer Castle (where Richard the Lionheart was reputedly held prisoner). Stroll the medieval cobblestone streets lined with old burgher domiciles, wine taverns, and quaint 16th-century townhouses.

VIENNA A wealth of treasures awaits you in this dynamic city, renowned as a center of classical music, art, and history. The *Mozart* will be docked here for a full day, so you can (*should!*) avail yourself of expert-led excursions: Visit the majestic Schönbrunn Palace (the summer residence of Empress Maria Theresa and the Hapsburgs), or journey to the Southern Viennese Forest and explore the 12th-century castle of Liechtenstein and the old Roman spa at Baden.

ESZTERGOM This stunning city (home to the great anti-Communist hero, Cardinal Mindzenty) boasts some of the country's most magnificent monuments and sites, including St. Adalbert's Cathedral (a replica of St. Peter's in Rome) and the remains of the Romanesque Royal Palace. The optional Szentendre tour offers the chance to visit the Museum of Margit Kovacs, the famous 20th-century artist.

BUDAPEST One of Europe's most beautiful cities (and we mean "cities": "Buda," on the Danube's right bank, is home to the ancient city, while "Pest," on the left bank, is its more modern sister). Like Vienna, the *Mozart* will visit here for a full day, so explore by foot, or grab a cab and "go to town." Walk the "Old Town" and see its superb mix of Serbian and Greek Orthodox architecture, or shop at the glorious and huge Grand Market Hall, just a stone's throw from our pier!

BRATISLAVA The Slovakian capital, situated at the foot of the Carpathian Mountains, is home to the Bratislava Castle (it offers breathtaking views of three countries) and St. Martin's Cathedral. Visit the stunning Mirbach Palace on the Old Town tour.

MELK This gorgeous Austrian town is home to the world-famous Benedictine Abbey, integral to the history of Austria and clearly one of Europe's most imposing architectural masterpieces (the Baroque church is spectacular!).

GREIN A lovely Gothic city that dates back to the 11th century. The Greinburg Castle, Town Hall, Franciscan Monastery, and St. Giles, built in 1147, are popular attractions. You'll want to saunter!

Don't miss this truly special cruise: Fill out the application form on the following page, and return it by mail or fax so you can secure your stateroom. We look forward to seeing you in Europe next May on the *Mozart*, in the company of **Paul Johnson, Bill Buckley, Kate O'Beirne, Richard Brookhiser, David Pryce-Jones**, and other top conservatives on the ***National Review* 2003 Danube River Charter Cruise.**

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NATIONAL REVIEW 2003 DANUBE RIVER CHARTER CRUISE APPLICATION

Mail to: National Review Cruise, The Cruise Authority, 1307 Powers Ferry Rd., Marietta, GA 30067-5409 or Fax to 770-916-1425

Please fill out application completely and mail with deposit check or fax with credit-card information. One application per cabin. If you want more than one cabin, make copies of this application. For questions call The Cruise Authority at 800-707-1634.

PERSONAL

Shirt size (M/L/XL)

Name #1 (full legal name) + Nickname

Shirt size (M/L/XL)

Name #2 (full legal name) + Nickname

Names #3 & #4 (if taking others in your cabin)

Street Mailing Address

City State ZIP

( )

Daytime Phone

Special Information (medical conditions, celebrating anniversary, etc.)

PAYMENT

A deposit of $2,000 per person is due with this application. Cabins are similar in size and will be allocated on a first come/first served basis.

☐ My deposit of $2,000 per person is included.
(Make checks payable to "National Review Cruise")

☐ Charge to: AmEx ☐ Visa ☐ MasterCard ☐ Discover

☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

Expiration Date (Month) ☐☐ (Year) ☐☐

Authorized Signature of Cardholder/Guest

Information and price quote on Cancellation Fee Waiver/Medical Insurance will accompany your statement. Cancellation Penalty Schedule follows (cancellations must be received in writing by the date indicated):

PRIOR *to December 3, 2002*	*$75 per person*
December 3, 2002 to February 3, 2003	*$350 per person*
AFTER *February 3, 2003*	*100% of cruise/package*

CRUISE

(All rates are per person, double occupancy, and include all port charges and taxes, all gratuities, meals, entertainment, and *National Review* activities. Cruise-only rates include all of above except airfare and transfers. Failure to appear for embarkation for any reason constitutes a cancellation subject to full penalties. Personal item purchases not included.)

CHECK ALL APPLICABLE BOXES. STATEROOMS ARE SIMILAR AND WILL BE ALLOCATED ON A FIRST COME/FIRST SERVED BASIS.

BEDDING: Beds made up as ☐ Twin ☐ King/Queen

BOOKING SINGLE?

☐ Please try to match me with a roommate. (My age: ____)

AIR/TRANSFER PACKAGES:

☐ We will provide our own roundtrip air and transfers to/from Munich.
☐ Include air with our package from _____
(see Air Cities list below). ☐ COACH ☐ BUSINESS CLASS

Information about post-cruise packages in Prague, Salzburg, and Paris will be included with reservation confirmation statements.

GENERAL INFORMATION:

CITIZENSHIP: Is everyone a U.S. citizen? ☐ Yes ☐ No
If No, indicate citizenship: _____

DINING: I wish to dine with _____

IMPORTANT!

Everyone cruising will be required to bring a valid passport which does **NOT** expire before November 2, 2003. Failure to do so will result in being **DENIED** international flight privileges and boarding of the *Mozart*. Children **DO** require a valid passport.

Responsibility: Notice is hereby given that the cruise advertised herein, including all tickets, vouchers and coupons issued and all arrangements for transportation or conveyance or for hotel or lodging or for sightseeing services are made by H20 Ltd. d/b/a The Cruise Authority (TCA) on behalf of National Review (NR), as agency for Peter Deilmann EuropAmerica Cruises (Deilmann), and/or service providers and/or suppliers providing services necessary for operation of the tour upon the express condition that TCA shall not be liable for injury, damage, loss, accident, delay or irregularity to any tour participant or his or her property that may result from any act or omission of any company, contractor or employee thereof providing services in connection with the tour, including but not limited to transportation, lodging, food and beverage, entertainment, sightseeing, luggage handling and tour guiding. Furthermore, TCA cannot be held responsible for delays or costs incurred resulting from weather and road connections, breakdowns, strikes, riots, acts of God, authority of law or other circumstances beyond its control. In the event that a participant be entitled to a refund of monies paid, TCA will not be liable in excess of amount paid. TCA reserves the right to decline any persons as a tour participant at any time. TCA is not responsible for price increases imposed by HAL and/or service providers. Such increases may be implemented prior to deposit received. TCA is not responsible for breach of contract or any intentional or careless actions or omissions on the part of HAL and/or service providers, such as suppliers of tours or other services used or obtained on or at the time of the cruise or shore excursions, which result in any loss, damage, delay or injury to you or your travel companions or group members. TCA does not guarantee any of such suppliers rates, booking or reservations and TCA shall not be responsible for any social or labor unrest, mechanical or construction difficulties, diseases, local laws, climate conditions, abnormal conditions or developments or any other actions, omissions or conditions outside of TCA's control. TCA, nor NR shall be responsible for the accessibility, appearance, actions or decisions of those individuals promoted for this cruise. By embarking upon his or her travel, the traveler voluntarily assumes all risks, and is advised to obtain appropriate insurance coverage against them. Retention of tickets, reservations, or package after issuance shall constitute a consent to the above and an agreement on your part to convey the contents hereof to your travel companions.

AIR TRAVEL: Make your air travel arrangements with Peter Deilmann Cruises' "Fly Cruise" Program. The following per-person coach (C) or business class (B) prices for travel aboard Lufthansa Airlines (exclusively) to and from the listed home city air gateways include transfers to and from Munich and the *Mozart*. You **cannot** use frequent flyer points or other promotions to upgrade these airfares. If you are available for the pre-cruise Munich package and make your own flight arrangements, note that there are no transfers to the hotel. Plan to arrive in Munich on May, and to depart there after 12 noon on May 11.

AZ	Phoenix	1,199C	DC	Wash/Dulles	3,855B	IL	Chicago	1,087C	MO	Kansas City	3,966B	NY	Rochester	1,055C	PA	Harrisburg	3,882B	TN	Memphis	1,109C
		3,999B	FL	Fort Lauderdale	1,166C			3,887B		St. Louis	1,166C			3,855B		Philadelphia	995C			3,909B
	Tucson	1,390C			3,966B	N	Indianapolis	1,166C			3,966B	NC	Charlotte	1,109C			3,795B		Nashville	1,109C
		4,190B		Miami	1,166C			3,966B	NJ	Newark	974C			3,909B		Pittsburgh	1,082C			3,909B
CA	Los Angeles	1,284C			3,966B	KY	Louisville	1,109C			3,774B	OK	Oklahoma City	1,191C			3,882B	UT	Salt Lake City	1,345C
		4,084B		Orlando	1,166C			3,909B	NV	Las Vegas	1,390C			3,991B	RI	Providence	1,055C			4,145B
	Sacramento	1,390C			3,966B	LA	New Orleans	1,166C			4,190B	OH	Cincinnati	1,109C			3,855B	WA	Seattle	1,366C
		4,190B		Tampa	1,166C			3,966B	NM	Albuquerque	1,345C			3,909B	TX	Austin	1,191C			4,136B
	San Francisco	1,230C			3,966B	MA	Boston	968C			4,145B		Cleveland	1,109C			3,991B	WI	Milwaukee	1,166C
		4,030B	GA	Atlanta	1,045C			3,768B	NY	Albany	1,055C			3,909B		Dallas/FW	1,147C			3,966B
CO	Denver	1,236C			3,845B	MI	Detroit	1,101C			3,855B	OR	Portland	1,336C			3,947B			
		4,036B	HI	Honolulu	2,170C			3,901B		Buffalo	1,055C			4,136B		Houston (IAH)	1,147C			
CT	Hartford	1,055C			4,970B	MN	Mnpls/St. Paul	1,166C			3,855B	PA	Allentown	1,082C			3,947B			
		3,855B	ID	Boise	1,390C			3,966B		NYC/JFK	974C			3.882B		San Antonio	1,191C			
DC	Wash/Dulles	1,055C			4,190B	MO	Kansas City	1,166C			3,774B		Harrisburg	1,082C			3,991B			

IMPORTANT NOTES: 1. Air fares are subject to change without prior notice. A $109pp air tax has been included in the above quoted fares, and is subject to change without prior notice. 2. These air add-ons apply to the cruise or cruise + pre-cruise package in Munich. All transfers for air/sea passengers are included. Air costs may be slightly higher for guests purchasing a post-cruise package. 3. Should you elect to provide your own air transportation, and should you be eligible for the pre-cruise package in Munich, note that transfers from the airport to the Hilton Hotel in Munich are not included. Transfers from the Hotel to the ship and the ship to the Hotel are included. Schedule your arrival in Munich for May 2nd (afternoon). Your return flight from Munich should not be arranged before 12:00 noon on May 11th. 3. Should you wish to deviate your air from the "standard" schedule,Peter Deilmann Cruises charges $75pp for this service and there may also be an increase in the cost of the flight. All requests must be sent in writing to The Cruise Authority. Air deviation fees are non-refundable. 4. Any special seat assignments or other requests must be made directly with the participating air carrier. You will receive your air schedule approximately 30 days prior to departure date. 5. If one of the home gateways listed above isn't convenient for you, you may arrange to fly to New York/JFK, Newark/EWR, or Washington Dulles/IAD in order to connect to the trans-Atlantic flight. Trans-Atlantic flights typically depart between 4PM and 7PM–yplan to arrive in Munich by 2pm EST. Call The Cruise Authority for details.

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Books, Arts & Manners

Bitter Sage

RICHARD BROOKHISER

The Skeptic: A Life of H. L. Mencken, by Terry Teachout (HarperCollins, 432 pp., $29.95)

H. L. Mencken by Roman Genn

In a hotel in upstate New York that I love, dating from the century before last, there is a hallway hung with photographs of the famous guests of the past. All are Anglo-Saxon men; most wear beards. One is a president (Hayes), one an industrialist (Carnegie), one a naturalist (William Burroughs). The majority are Protestant clergymen. They came to the hotel to discuss international arbitration and the treatment of Indians, and to commune with nature. They are dead, as we all shall be soon enough. More, they are gone: wiped from memory, almost from history. As far as the country that was once theirs is concerned, they might never have lived. Who dismissed them? Among others, H. L. Mencken, the subject of Terry Teachout's splendid and engrossing book.

Mencken, the reporter who became a critic, arbiter, and media celebrity, has had his own problems with oblivion lately. He was once known as the Sage of Baltimore, but when the hip think of Baltimore these days they think of John Waters. Mencken, who wrote several merrily counterphobic pieces on death, would have appreciated the irony: the slayer slain. Teachout faces the problem head on, identifying Mencken's particular brand of old-fashionedness as the source of his style, his charm, and his destructive power.

Henry Louis Mencken was born in Baltimore in 1880, into a family of German cigar makers. He called himself "a larva of the comfortable and complacent bourgeoisie," and though he sprouted gaudy wings he perched in Baltimore all his life. He found his path early. When he was 19 he wrote on the application form of a mail-order journalism school that he "expect[ed] to begin as a reporter & after that trust to hard work & luck for something better." Journalism gave Mencken the opportunity to write, and—what doesn't always happen—the opportunity to express himself; once he had settled at the *Baltimore Sun*, he became, Teachout says, one of the first American journalists to write a signed editorial-page column. The grind made him work, and his relative prominence forced him to work well. "[I] think before writing," he boasted; "it is my experience that most newspaper reporters work in the other direction."

Mencken became more than a local figure when he branched out from newspapers to magazines. From 1914 to 1933, he presided over two: *The Smart Set* and *The American Mercury*. *The Smart Set* aspired to be light and literary, while the *Mercury* was social and critical. Both magazines were hobbled in their tasks by a lack of funds; generally speaking, they could only afford good authors who were young or slumming, and most of their contributors were hacks. The great exception was Mencken himself, whose pieces were the main attraction.

At *The Smart Set* he mostly wrote, as Teachout puts it, "amusingly about bad books of no importance." But he also championed one great talent, Joseph Conrad, and two who, in dim light, looked great, Theodore Dreiser and Sinclair Lewis. Mencken was well aware of Dreiser's shortcomings as a writer; he had, Mencken wrote, an "incurable antipathy to the mot juste." Mencken boosted Dreiser and Lewis for the sake of literary politics, out of a desire to upend a New England establishment that he felt was stiff and faded.

In the *Mercury* he moved from literary criticism to social criticism, taking on what he saw as the vices of American life. He stood alongside history yelling, "Boo!" During the 1920s aspiring intellectuals loved him; one campus newspaper called him "the guiding outlaw of undergraduates."

His most famous fight was against fundamentalist Protestants, and his major engagement was his coverage of the Scopes trial in Dayton, Tenn., in 1925, at which Clarence Darrow, the celebrity defense lawyer, and William Jennings Bryan, the three-time presidential candidate, fought over the power of democracy, the authority of science, and the implications of evolution. Teachout's discussion of the trial's context will be a revelation to anyone reared on *Inherit the Wind*. Early fundamentalists had been prepared to accept evolution as "but a new name for 'creation.'" But Bryan, the devout populist, was disturbed by the illiberal implications of evolutionary theory. Mencken the journalist, covering the trial in the *Sun* and the *Mercury*, was untroubled by objectivity. He advised Scopes's legal team, depicted Bryan and the Daytonites as cretins, and gloated when Bryan died suddenly. "We killed the son of a bitch," he told friends.

His second great fight was against censorship. Generally, he fought this battle in the abstract, since he was a prudent publisher who knew how to cut his losses. When local censors in Boston banned an issue of the *Mercury* for running a short story about a prostitute, Mencken changed tactics, taking a train to Boston

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and selling a copy on the Common, in order to be arrested. A judge dismissed the case, but the Postal Service went after him next. Altogether Mencken's publisher, Alfred Knopf, spent $20,000 ($190,000 today) defending him.

Two events Mencken never touched publicly, at least while America was involved in them, were the World Wars. Mencken was covering the Russian front of World War I from the German side when Germany declared unrestricted submarine warfare. Mencken bottled his opinions for the duration (his FBI file carefully noted "no indication" of "espionage activities"). Over twenty years later, he made no mention of the bombing of Pearl Harbor even in his diary. Mencken's wartime silence was self-protective: Fundamentalists were easy targets, censors were in his own weight class, but the government could, and did, prosecute sedition. Mencken spent his wars beginning and extending one of his works that have worn best—*The American Language*.

As he aged he became that deadly thing, a curmudgeon—a licensed fool, an emeritus provocateur. A stroke in 1948 ended his writing days; he died in 1956.

What were the sources of Mencken's asperity? Teachout stresses that he was a child of the 19th-century middle class; he calls the *Mercury* a "counter-cultural magazine edited by a bourgeois." For Mencken the presiding deity of his formative era was not Queen Victoria but Kaiser Wilhelm II. He saw his ancestral homeland as orderly, unsentimental, scientific, and cultured. (The emergence of Hitler blurred this dream picture, but only a little; Mencken deplored Hitler, but thought of him as a vulgar Klansman, and assumed that Germans would come to the same conclusion.) Given the history of the first half of the 20th century, it was inevitable that Mencken and America would be on the outs.

But Mencken's alienation was more deeply seated. In his youth, he became a convert to the religion of science, a faith that never left him. Some of its effects on him were comic. His brother August said H.L. looked on doctors as "superior person[s] whose word or opinion was not to be questioned. If a doctor told him to jump off a roof he would have jumped." Other effects were tragicomic. He broke with his first lover when she became a Christian Scientist. He spiced his scientism with a dash of Nietzsche, about whom he wrote one of his first books, and whom he treated, not as the subtle philosopher that the Straussians would make of him, but as a bumptious atheist (there is a case to be made for Mencken's view). There were Americans of this stamp, such as the economist William Graham Sumner. But in joining them Mencken joined a minority.

Mencken's most enduring legacy, and his greatest defection from American life, was his belief in art for art's sake. He had no ear for poetry, no eye for painting, and no feel for jazz, the leading arts of 20th-century modernism. But the arts he knew—American vernacular prose, and the Austro-German repertoire from Haydn to Brahms—he knew well and loved passionately, and he would let nothing claim precedence over them, or the men who fashioned them. On the face of it, Mencken's aestheticism seems to be an argument for a society organized to benefit writers and musicians. But since many of these have no talent, what it really means is a society in which the bearded elite on my hotel wall would be replaced by critics, like Mencken himself. There is a catch, though: Since critics reach only a minority, a society based on art for art's sake becomes a society of dreck. If you bow down to Beethoven, your children will bow down to Eminem. It is not the place of biography to settle such questions, but it is a tribute to Teachout's intelligence and sensitivity that *The Skeptic* raises them.

The Skeptic has many other virtues. Modern biographies are cluttered with details; the reader stumbles over them like shoes in a darkened bedroom. Teachout says up front that his is "*a* life of Mencken, not *the* life. . . . Accordingly I have said little or nothing about many of the people he knew well (such as the now-forgotten novelist Joseph Hergesheimer)." I commend the Hergesheimer Principle to the craft.

The great pitfall of Mencken criticism is imitating his prose—for that is what first draws readers to him, and what makes them re-read him. Wouldn't it be nice to mimic those odd words and tumbling rhythms? Teachout does this wonderfully when he says that most of Mencken's books, collections of elaborated essays, were not "*durchkomponiert*" (through-composed). Better still, Teachout does this only once. The rest of *The Skeptic* is in his own clear and genial voice. He makes the crooked straight and the rough places plain.

Teachout's greatest strength is his angle. He has shared many of Mencken's experiences—covering politics and art, working on a newspaper—but shares only some of his opinions. He understands and admires him without worshipping him. He lets us feel what it would be like to be the colleagues of a great professional. **NR**

THE SCHOLAR AND HIS CAT

I and my white Pangur
Each plies his special art;
His mind set on hunting mice,
Mine on my word craft.

Stalking with patient stealth
A mouse sticks in his claw,
While I with sleight of mind
Catch an obscure point of law.

Better than a name in the street
I love my books and pen,
Pangur tugging at my toes—
Colleagues without dissension.

A man and a white cat
Can fill a house at night;
Each whetting his claws and wit
On matter appropriate.

Against the far wall his eye
Flashes in fury and fun;
Against the fine edge of science
I hone my inward vision.

How happy Pangur jumps
With a mouse in his mouth!
Just as happy my heart jumps
When I solve a vexing problem.

A man and a cat in a house
In contrapuntal bliss:
I am master of my work,
Pangur is master of his.

No need for accusation
Hurting each other's heart.
I and my white Pangur
Each plies his special art.

—ANONYMOUS
early 9th-century Irish monastic poem
translated by Richard O'Connell

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Lost—and Found?

DAVID KLINGHOFFER

Across the Sabbath River: In Search of a Lost Tribe of Israel, by Hillel Halkin (Houghton Mifflin, 394 pp., $28)

CALL it the romance of lost objects. A young woman's purse was stolen one day in the 1940s and turned up earlier this year, stuck behind a loose wall panel in a men's room in a diner. Evidently the thief had swiped the purse, extracted the money, then hidden the purse inside the wall. Workers doing renovations found it, identified the owner—who was still alive, in her 80s—and a reporter recently covered the reunion of the lady and her long-lost property. Though it included nothing more notable than a dry-cleaning ticket, a receipt for taxes paid, a note from a girlfriend—that sort of thing—the returned purse nevertheless made for a strangely compelling newspaper story.

The great-granddaddy of all such wonderful lost-object stories is that of the Ten Lost Tribes of Israel, originating in the Bible in the Second Book of Kings. It goes this way: After Solomon died, the kingdom that Solomon's father David had founded split in two, the Kingdom of Judah in the south, centered on Jerusalem, and the Kingdom of Israel in the north, centered on Samaria. Judah was populated mainly by members of the tribes of Judah and Benjamin, while the other Hebrew tribes were concentrated in the north. In the 8th century B.C., Samaria and Israel were assailed by the Assyrian forces of King Tiglath-Pileser; the Hebrew population was deported to Assyria, never to be heard from again.

Where did the Lost Tribes—Reuben, Asher, and the rest—end up? The Bible and the Talmud adduce some cryptic hints. One source locates them in the vicinity of the legendary Mountains of Darkness, or possibly on the other side of the river Sambatyon—the Sabbath River, said to be impassable every day but the Sabbath, when it freezes in mid-flow. In other words, says a view in the Talmud attributed to the great Rabbi Akiva, they are inaccessible, permanently lost, never coming back. Another view, recorded immediately following Akiva's and attributed to Rabbi Eliezer, is that the Lost Tribes in fact will someday return.

Who's right? If you believe Hillel Halkin—and I do—they both are.

Halkin is an understatedly brilliant journalist familiar to readers of *Commentary* magazine, an American living in Israel, a secular Jew. He traveled to a part of India sandwiched between Bangladesh and Burma and there found an ethnic group comprising the Kuki, Chin, and Mizo peoples of the Indian states of Manipur and Mizoram. The Kuki-Chin-Mizo people *think* they are a lost tribe, specifically the tribe of Manasseh, whom they call Manmasi or Manasa. Halkin is "107 percent" sure that mixed in among the Kuki-Chin-Mizo are the remnants of another ethnic group, called the *mi lui* or "old people," whose clans were indeed descended from long-ago-deported members of the tribe of Manasseh. With quiet humor and artful plotting, Halkin tells how he came to this view. *Across the Sabbath River* is a book of investigative journalism, full of quirky characters and extremely cool lore, as enjoyable to read as a novel.

Halkin gives a vivid portrait of this gentle people, once fierce headhunters and warriors.

Over the centuries, Lost Tribe hunters have advanced other claims as to the whereabouts of the tribes. Supposedly, lost Israelites have been found in China and Pakistan, less plausibly among the American Indians (a tenet of the *Book of Mormon*), even among the people of Great Britain (in which view, the most lunatic of all, the word "British" itself is Hebrew, from *brit* or covenant and *ish* or man).

Starting in the 1950s, certain Christianized residents of Manipur and Mizoram began having dream visions that indicated, to their satisfaction, that their legendary ancestor Manmasi was really the biblical Manasseh, eponymous founder of the tribe. Communities have since been formed there to practice normative Judaism, and some Mizos and Kukis have immigrated to Israel, where they blend seamlessly into a mix of Jews from around the world.

Halkin gives a charming, vivid portrait of this gentle people, once fierce headhunters and warriors, today tactful but proud; dismissive of neighbors belonging to other ethnicities, yet awed by Westerners. Theirs is an exotic culture, where the Jewish Sabbath is celebrated in mountainous jungles and one sees road signs advertising cures for strange ills: "LEPROSY? NO PROBLEM! GET CURED!" Halkin obviously fell in love with them, and his admiration is conveyed powerfully. He never tells us how he feels, but simply shows his new friends in interaction with him and with others:

> They were soft-spoken and trusting. On our way to Champai we were sideswiped by a minibus that crowded us to the edge of a precipice as it tried passing. In Israel, both drivers would have jumped from their vehicles, screaming. Tana [Halkin's driver] got out of the car, inspected the damage, spoke quietly to the other driver, climbed back behind the wheel, and drove off. I expressed surprise that he wasn't angry. Shmuel [his translator] said, "There's nothing to be angry about. The other driver took the blame. He'll pay for the repairs."
>
> "Does Tana know him?"
>
> "No. They arranged to meet in a garage in Aizawl [the capital of Mizoram]."
>
> "But Tana didn't even ask to see his license. Suppose he doesn't show up?"
>
> "Why shouldn't he show up?" Tana asked.

Across the Sabbath River is structured like any good story of detection. First Halkin is suspicious of the natives' claim of Israelite descent. Then he notes some suggestive parallels in belief and ritual: Kuki and Mizo lore, seemingly pre-Christian, includes apparent references to such Biblical persons and places as "Apram" (Abram or Abraham), "Iaksak" (Isaac), "Muria" (Mt. Moriah, the Temple Mount), and "Si-nai." In an earlier time

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Mizos may have practiced circumcision. Even today, a male born without a foreskin is said to have an "old-time penis." Their mourning rites are strangely reminiscent of Jewish ritual, and the old Mizo religion had a day very much like Yom Kippur, the Jewish Day of Atonement. Their culture, especially the music, is shot through with a sadness, a feeling of displacement, of being lost in the world, far from home.

"We Kukis do not belong to this place," one informant tells Halkin. "We have been here for hundreds of years, yet it is not ours. Have you ever heard of an entire people feeling out of place where their ancestors were born?" To Jewish ears, this is a quietly heartbreaking statement, revealing and familiar.

On a lighter, ironic note, Halkin comments, "The ultimate proof the Mizos are Jews: a small and never civilized people, they think they are better than everyone."

But by page 256, he has all but completely rejected their claim, arguing that any parallels between Judaism and Kuki or Mizo beliefs can be explained much more simply and plausibly as a retrospective imaging, an expression of discomfort with the new religion, Christianity, introduced by British missionaries.

Then he meets an eccentric native ethnographer, Dr. Khuplam. In the kind of plot turn that typically occurs about two-thirds of the way through a riveting novel, new evidence is discovered that turns the whole story around, casting everything that came before in a new light. Oral traditions clearly predating the introduction of Christianity reveal priestly chants and tales of obvious antiquity, "an ancient body of lore that had crumbled, leaving different slivers in different hands"—slivers that bear the undeniable stamp of Jewish influence.

I don't want to give away the climax of the book, but what Dr. Khuplam produces is pretty convincing. Before the missionaries came, there were stories of the great ancestor Manmasi whose father, Pu Vanthang, is a dead ringer for the Joseph of Genesis: He interprets dreams for a Pharaoh-like ruler about an approaching period of plenty and a following period of starvation; he is elevated to a high political position and given a wife, with whom he produces Manmasi.

The oral traditions also speak of a holy day remarkably like the Biblical Passover: It marks the start of the year in springtime, as Passover does; falls at the full moon, as Passover does; and features the required eating of matzoh-like unleavened bread, this in a culture where bread is rare.

So Rabbi Akiva and Rabbi Eliezer were indeed both right. The Lost Tribes are never coming back: It would seem that fragments of Manasseh intermarried with their non-Israelite Southeast Asian neighbors, with whose pagan religious beliefs their memories of the religion of Israel became interwoven. Most of them will not be Jews. And yet: A significant movement among these same people wants to reunite with the Jewish nation, and is doing so. A thread, a sliver of this particular Lost Tribe has returned.

It's a great lost-object story, and it illustrates a key point about what makes such stories so appealing. They move us not because of any inherent interest in seeing property returned to its owner; they appeal, rather, because they seem to allude to a larger and more important narrative. In the case of the lost purse, for example, the returned item illuminates the narrative of someone's life in a strikingly intimate fashion.

What makes Halkin's book so compelling is that, in its modest way, it illuminates the key narrative from which all other Western narratives begin. That story tells how there arose in the ancient Near East a small, not particularly distinguished or civilized ethnic group that thought it was better than everyone, that was pummeled by history, split up, slaughtered, and deported, yet somehow planted the seed of moral and spiritual greatness that became Western civilization.

As Halkin points out, it is the fashion among scholars to dismiss the Bible as any kind of record of past events that actually happened. But if the account in Halkin's book is right, there is factual evidence that one Hebrew tribe bearing the name of Joseph's son Manasseh was in fact exiled to Assyria as the Bible indicates. This doesn't prove anything about the rest of the Bible, of course, but it is highly suggestive. A lost object has been found—and perhaps, along with it, a hint about the meaning of three millennia of history. **NR**

Cook's Tours

MAX BOOT

Blue Latitudes: Boldly Going Where Captain Cook Has Gone Before, by Tony Horwitz (Henry Holt, 496 pp., $26)

HORWITZ, a former writer for the *Wall Street Journal* and *The New Yorker*, has been a fearless practitioner of "participatory journalism." For a series of articles on the conditions of low-wage workers, he once got a job working on the kill floor of a chicken plant. For a book on Civil War reenactors, he marched along with the hard-core buffs. But it's a good bet that he's never done anything more strenuous than work as a sailor aboard an 18th-century man-of-war.

An Australian foundation built an exact replica of Captain Cook's flagship, His Majesty's Bark *Endeavour*, and encouraged volunteers to join the professional crew. Horwitz signed up for a one-week stint from Gig Harbor, Wash., to Vancouver, B.C. He quickly discovered that this was no pleasure cruise. He spent a week heaving on ropes, climbing masts in roiling seas, and swabbing the deck, with brief periods in between of trying to sleep in a hammock with just 14 inches' air space. By the time he arrived in Vancouver and collapsed in a hotel room, he was bone-tired, unsteady on his feet, and dirty all over with "scrub tar stuck in my hair and the grime imbedded in every inch of exposed skin."

We know why 18th-century sailors undertook such back-breaking work—they often had no choice, either because they came from desperate economic circumstances, or simply because they were press-ganged into the Royal Navy. Horwitz, by contrast, eagerly volun-

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teered, which attests to either his fortitude or his foolishness. Either way, readers are the beneficiaries of his exertions.

Horwitz's goal was to follow in the wake of Captain James Cook's famous expeditions. Cook's three voyages from 1768 to 1779 are, for those who have forgotten their schoolboy history, or more likely these days, never learned it in the first place, one of the great feats of exploration of all time. As Horwitz notes, when Cook first set out, "a third of the world's map remained blank, or filled with fantasies: sea monsters, Patagonian giants, imaginary continents." Cook dispelled the fog of ignorance, coming back with accurate charts of the South Pacific, and largely accurate descriptions of cultures that seemed utterly unlike anything else in the world. Tattoos, "taboos," kangaroos—all were introduced to Europe by Cook.

Cook also opened this vast region to European intercourse—sometimes in the very specific sense: One of the area's prime attractions to sailors was the lack of sexual inhibitions displayed by native women, who would trade their favors for a nail (steel being scarce in these parts). For European *philosophes*, the attraction was more ideological. Many of them idealized Polynesia as a paradise where man lived in perfect harmony with nature, unsullied by the constraints of civilization. Minor matters like the prevalence of cannibalism and infanticide tended to get ignored in paeans to the "noble savages." Europeans of a more religious bent saw the islands through their own prism, as redoubts of debauchery awaiting salvation.

What all sides agreed on, at least at first, was that Cook was a Very Great Man for having discovered this new world. His tragic ending—Cook was killed and eaten by ticked-off Hawaiians during his third voyage—only added to his allure, making him an 18th-century John F. Kennedy. But Cook suffered the same posthumous fate as JFK: attracting legions of iconoclasts eager to knock him off his pedestal.

First to turn on him, oddly enough, were American missionaries in Hawaii, who wouldn't have been there in the first place if not for Cook. But before long they were blaming the captain for all the nasty detritus of European civilization—venereal diseases, alcoholism, firearms, crime. "Sin and death were the first commodities imported to the Sandwich Islands," complained the Rev. Sheldon Dibble in an 1839 history of Hawaii. Progressive thinkers, not normally sympathetic to Christian missionaries, picked up the refrain and amplified it, eventually turning this view into the background noise of polite society. In the course of his research on Cook, Horwitz found—almost everywhere he went—either indifference or hostility to the great navigator. Asking a Tahitian high-school student what he knew of Cook, Horwitz was informed, "He was the first taero here. A bad man." ("Taero" is a slang term, derived from the pulp of a coconut, for "white man.")

■

The Maori were about as surprised by Cook as we would be by an alien spaceship alighting in Washington, D.C.

■

That attitude is at least understandable coming from peoples whose cultures were changed beyond all recognition by Cook's arrival. As Horwitz discovered in some of the seamier quarters of the South Pacific, full of unemployed and embittered young people, many of these islands still have not found their way in the modern world. Though it's hardly Cook's fault, one can see why they blame the great navigator for their woes. The indifference or outright hostility toward Cook in modern-day Australia and New Zealand—settler colonies populated largely by Cook's fellow Britons—is more surprising and dismaying.

In Australia, the school curriculum was once full of information on Cook—no surprise, since the landing of the *Endeavour* played as large a role in Australian history as that of the *Mayflower* did in American history. But owing to pressure from Aboriginal activists, the official state-mandated curriculum now offers only two brief mentions of the captain—in a section on the British "invasion" and "occupation" of Australia!

To the extent that there is any commemoration of Cook's achievements it tends to be as bland and politically correct as granola. In 1769 Cook landed in New Zealand, and he and his crew were the first white men these particular Maori had ever seen; the only previous white explorer to reach New Zealand at all had been the Dutchman Abel Tasman more than 125 years earlier, so the Maori were about as surprised by Cook as we would be to see an alien spaceship alighting on the Ellipse in Washington. (Perhaps more so, since we have seen lots of aliens in the movies, whereas the arrival of Europeans was outside the Maoris' imagination—they thought the visitors were goblins.) Cook and his men were baffled, too. They tried to establish friendly relations, but things didn't quite click, and Cook's men wound up turning their muskets on several Maoris who tried to steal from them.

A fascinating encounter, and yet how is it commemorated? With a monument identifying this as the spot where Maori and white men "learned about each other" and "mourned the deaths which had occurred." This passive language is almost comically at odds with the violent reality. "Bureaucrats," writes Horwitz, with evident regret, "had turned the great adventurer into one of their own: a dull, bloodless figure who attended lots of meetings."

Blue Latitudes gives a good flavor of the real Cook and his achievements, which were staggering. A working-class boy, he entered the Royal Navy as an enlisted man and rose to the top by virtue of sheer ability. While serving as a lieutenant he was picked to command an exploring expedition to the South Pacific. Having successfully completed this epic voyage, and become the toast of London society, Cook easily could have retired to a nice sinecure. But he insisted on heading out again—and again, until finally he did not return.

Horwitz offers a balanced, if hardly groundbreaking, assessment of the great

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navigator: "If Cook wasn't the uncomplicated hero of Victorian statuary—spreading 'civilization and the blessings of Christian faith among pagan and savage tribes,' in the words of one memorialist—nor was he a premeditated despoiler of natives and their culture." But the book doesn't wallow too long in historical controversies; there are plenty of other books for that. While Horwitz briefly recounts some of Cook's landings, he's more interested in relating his own encounters with various oddballs, from falling-down-drunk Aussies reenacting Cook's landing amid wet T-shirt contests, to the giant king of Tonga waddling around his palace while Horwitz sweats in an oversized polyester shirt.

Pretty droll stuff, but Cook's story does have serious resonance for our own day—a tamer time when "extreme" adventure has come to mean bungee jumping or whitewater rafting. Real exploration still beckons, beyond earth's atmosphere; as Cook's voyages suggest, such exploration need not be entirely selfless, since it will inevitably open new avenues of commerce, immigration, and military advantage. We could use a real-life *Star Trek*—a TV series inspired, Horwitz suggests, by the adventures of a certain 18th-century captain. Just as Captain James Cook sailed aboard the *Endeavour* "farther than any other man has been before" (to quote his journal), so Captain James T. Kirk set out on the *Enterprise* "to boldly go where no man has gone before." Kirk has one advantage over his real-life counterpart, however: He has yet to be denounced as an imperialist despoiler of the galactic Eden. Just wait till the Klingons write the history books. **NR**

WHAT THEY'RE SAYING ABOUT
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The Wolf in the Door

JAMES S. ROBBINS

Militant Islam Reaches America, by Daniel Pipes (Norton, 256 pp., $25.95)

On September 13, 2002, southern Florida was closed down after a Shoney's customer told police she suspected that three of her fellow diners were Islamist terrorists. On the same day, FBI agents broke up a bona fide al-Qaeda sleeper ring operating out of Lackawanna, N.Y. People wishing to make sense of both events would do well to consult this new book by Daniel Pipes—an extraordinarily useful compendium of basic information and analysis that is easily readable by the non-specialist, yet engaging for scholars as well.

Pipes is a non-Muslim writing for non-Muslims, and he achieves objectivity by being respectful without fawning. He brings forward copious quotations from those he criticizes, allowing them to make their own cases in their own—sometimes shocking—words.

The book is a collection of essays written between 1994 and 2002—some of which originally appeared in NATIONAL REVIEW—and they stand up very well; in fact, events have made them timelier. The book supplies the reader with an intellectual framework within which to assess the frequently unspoken—and sometimes erroneous—premises that underlie public discussions of terrorism. Like a good professor, Pipes poses questions the inquisitive person has yet to frame; he anticipates lines of inquiry and guides the reader to sound conclusions backed by solid research.

In the first half of the book, Pipes draws a strong—and crucial—distinction between Islam, the religious faith, and *militant* Islam (or Islamism), which he calls "the most vibrant and coherent ideological movement in the world today." This is no small point: Criticism of Islamism is regularly mistaken for an assault on Islam in general, when in fact Islamism is not a religion but a socio-political belief system, based on—but separate from—the Muslim faith. The tenets of Islamism are derived from a radical reading of the Koran as a blueprint for social order, not as a guide to individual piety. It is a revolutionary vision, the practical expression of which is Taliban-style totalitarianism. Moreover, as with any other extreme ideology, the fact that it is the fervent ideal only of a dedicated minority is no barrier to its being foisted on a society unable or unwilling to defend itself. The threat of Islamism cannot be measured in mere numbers (only an estimated 10–15 percent of Muslims actually are Islamists) but must be judged against its adherents' dedication, persistence, and willingness to engage in violence.

Pipes outlines the primary characteristics of Islamism: It is utopian, anti-democratic, anti-Semitic, anti-Western, and unwilling to coexist with other belief systems. Pipes observes that one critical failing of the West is not taking seriously public statements that reflect these traits. The Western liberal mind tends to discount the Islamists' more radical utterances as mere motivational boilerplate, and thus not a good guide to understanding Islamism. As 9/11 has shown, however, when the Islamists speak it is worth listening. They are, if nothing else, sincere.

Pipes is very effective in dissecting another widespread notion: the alleged link between poverty and Islamist extremism. This belief is repeated almost without question or challenge in the media and the academy. Yet Osama bin Laden was raised in luxury, and a profile of the 9/11 hijackers would lead one to conclude that the average suicide terrorist is a well-educated middle- to upper-middle-class twentysomething with good career prospects. In any case, Islamism in practice will not cure poverty and does not even promise to. It does not promote living *well* but rather living *righteously*. Islamist economics reads like utopian socialism in theory, and in practice is akin to Soviet economics without the vodka.

In the second half of the book, Pipes

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turns to the issue of the status of Islam—and Islamist networks—in the United States. His thesis in this section is that the U.S., in a creditable attempt to show tolerance of Islam as a faith, has practiced a form of unilateral disarmament on the ideological front, and given militant Islam a privileged status no other such ideology would enjoy. The author offers a frank discussion of the difficulties one encounters in trying to have a reasonable discussion about Islamism in America: Self-appointed defenders of the interests of the Muslim faith are quick to hurl charges of bigotry. Pipes singles out the Council on American-Islamic Relations (CAIR), a Washington-based interest group, for its "bare-knuckled" approach to silencing critics of Islamic radicals. (Other religious faiths are considered fair game, as was evident in the recent flood of negative coverage given the Catholic Church over the actions of a small number of criminal priests.) Pipes gives details of his own confrontations with CAIR. He has accused the group of having links to Hamas—a view supported by Oliver "Buck" Revell, a former FBI associate director for investigative and counterintelligence operations, who has described CAIR as having had "intertwined membership" with "a front organization for Hamas that engages in propaganda for Islamic militants." In response to these accusations, CAIR has set up a webpage dedicated to denouncing Pipes.

This ideological struggle will continue to trouble the U.S. after al-Qaeda is neutralized and its members are dead or in prison. The Muslim faith is growing, and, to the extent that recent Muslim converts tend to gravitate to the Islamist doctrine, this becomes a matter of public concern. The Islamists have a decided advantage in morale, thanks to their unselfconscious spirit of moral rightness; when this is translated into a willingness to kill those who disagree, it becomes a serious national-security threat. In order to come to grips with this challenge, we have to appreciate that the war of ideas is not between competing religious faiths, but between contrasting and mutually exclusive visions of society. You may be convinced that "it"—a Muslim theocracy—can't happen here, but thousands of devoted Muslim militants are working hard to prove you wrong. **NR**

■ **MUSIC** ■

Doing It Their Way

JAY NORDLINGER

IT'S a big issue in the opera world: **Renée Fleming**'s singing of bel canto. Fleming, of course, is just about the most sumptuous soprano around, prized particularly for her singing of Strauss (meaning Richard, not Johann, although she's no slouch in operetta either). Many people, however, have reservations about her forays into bel canto—the music of Donizetti, Bellini, and suchlike. The accusation is that she's not correct or strict enough—that she is, in a word, too Straussy.

I've done a little of this accusing myself. It is certainly true that Fleming is somewhat unorthodox in bel canto; but she doesn't seem to mind. We have a tendency to be dogmatic in this area of opera: Anyone who departs from perceived correctness is condemned as a charlatan. But there's more than one way to skin a bel canto cat. And if Eileen Farrell had "a right to sing the blues," then surely Renée Fleming has a right to sing Bellini.

And she certainly has. The diva asked the Metropolitan Opera to put on *Il Pirata* for her, and the company obliged—Fleming is a star worth pleasing. That Bellini opera had never been staged at the Met, and had been known primarily as a Maria Callas vehicle. Fleming has proven smashing in this production, and, at the same time, she has an album out entitled *Bel Canto*, which is at the top of the charts (classical version).

As I've written before, Fleming has a plush Cadillac of a voice—she cannot turn it into a zippy Ford Fiesta overnight. But hers is an agile, adaptable, maneuverable Cadillac. She almost always sings richly, but her work is also clean, accurate, and plenty correct. Technically, she can do anything—can fly with any of the bird-like voices out there. Many will find (and have found) her singing on this new recording—from Decca, by the way—too Romantic, too free, too luxuriant. But it is undeniably first-rate singing, and rare singing, and beautiful singing—in other words, bel canto.

Soon, Fleming is to come out with a jazz album. Yes, she has "a right," and she has the ability too, in everything she tries. Callas liked to say, "I'm not a lyric soprano, I'm not a coloratura soprano, I'm not a dramatic soprano—I'm a soprano, damn it." So's Renée Fleming.

■ **Midori** is now over 30. Isn't that shocking? It seems like yesterday when she was a child prodigy, wowing people on the Johnny Carson show and on stages throughout the world. She is, of course, a one-named wonder, like the late British pianist Solomon, and like her contemporary, Kennedy, the violinist formerly known as Nigel Kennedy.

One name or two, Midori is an impressive musician, and her new album, with the pianist Robert McDonald, is all-French: the sonatas of Poulenc and Debussy, and the Sonata No. 1 in D Minor by Saint-Saëns. (The record comes from Sony.) Midori is a knowing "French violinist," as she is a violinist generally. She has not only talent and "fingers"—raw technique—but a probing musical intelligence. She is also known for meticulous preparation, which shows in virtually every performance she gives.

It's especially good, in this recording, to hear the Poulenc sonata, which is normally slighted in favor of the other two—and in favor of the Fauré and Franck sonatas. (We're talking the French repertoire here.) The piece is pure Poulenc, with its angularity, melodies, and punch. Midori's playing is crisp, and she is willing to be raw, when necessary, rather than pretty. McDonald is a full partner. Indeed, the Poulenc is as much a piano piece as a violin sonata.

Poulenc wrote a lovely slow movement, as could have been expected from a master of song. Midori—in the best tradition of French playing—renders it exquisitely but not preciously. In the final movement—Très animé—she is both incisive and shimmering. These pages are like cut jewels, and, again, thoroughly Poulenc-like.

Today, Midori is part of a wealth of

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violinists who are in their 20s or 30s: Joshua Bell, Sarah Chang, Gil Shaham, Maxim Vengerov. It's nice to know that this wunderkind has turned into a wunderadult—it doesn't always work that way.

■ For some of us, **Alberto Ginastera** is a delectation. An Argentinean composer, he lived from 1916 to 1983, and left many pleasing works, including two piano concertos. Ginastera was a bit of a nationalist—South America is never far from his music—but he was in most respects a thoroughly modern composer, though more talented than most.

It so happens that Ginastera has a champion in Gisèle Ben-Dor. She is—if you will forgive me—a chick conductor, the director of the Santa Barbara Symphony in California. Women conductors are quite rare, almost as rare as female bass-baritones. It may well be that Ben-Dor is the finest female conductor in the world (although, as Bill Buckley once said, when confronted with the assertion that Lillian Hellman was America's foremost woman playwright, "Maybe so, but isn't that on the order of celebrating the tallest building in Wichita, Kansas?").

Ben-Dor was born and raised in Uruguay, and she studied in Israel and the U.S. (including under Leonard Bernstein). She champions not only Ginastera, but other Latin American composers, among them Silvestre Revueltas, a Mexican. She has made two all-Ginastera albums, of which the second—originally released in 1999—has just been recirculated by BMG/Conifer Records. Done with the London Symphony Orchestra, it consists of two complete ballets, *Panambí* (1937) and *Estancia* (1941). Two ballets—even complete—do not a Ginastera flowering make. But this album is a happy contribution.

■ Do we have a "name" organist today? Not really, unless it is Marie-Claire Alain, still going strong in her middle 70s. Virgil Fox and E. Power Biggs are but memories, except on recordings. (By the way, "E. Power Biggs" must be one of the strangest and most memorable names of the 20th century.) We do have, however, several top-notch players, including **Michael Murray**, who is a noted scholar/writer as well. Murray is an American, working in Cincinnati, but he had French training, with none other than Marcel Dupré. Thus, Murray is a continuer of that tradition. His latest CD—on Telarc—is devoted to the works of Dupré, Franck, and Widor; the organ he plays is that of St. Sulpice in Paris.

Dupré himself was organist at St. Sulpice, for almost 40 years; before him, Widor was (having beaten out Franck for the job). Albert Schweitzer, according to Murray, judged the church's organ "the most beautiful in the world." Murray is clearly an authority on this music, but, more important, he has the ability to execute what he knows. His playing is satisfying at every level.

■

Midori, once a wunderkind, has turned into a wunderadult. It doesn't always work that way.

■

Of course, the organ is a difficult instrument to capture on record—there's no substitute for actually sitting in the pews. But technology has come a long way, and we're getting there.

■ The Testament label is true to its name: It provides recordings from the past that deserve perpetuation. Lately, the company has given us two albums of special distinction. The first is called *Baroque Transcriptions*, and features **Ida Haendel**, with the pianist Geoffrey Parsons. Haendel was—is, I should say—a Polish-born violinist who spent much of her career in England; Parsons was an excellent Australian-British accompanist best known for his work with singers.

The music on this disc is very much out of style: passé, smirked at, disreputable. The "originalists" and purists have taken over. But there is much to be said for it, and Haendel, through her playing, says it well. One of the items here is Corelli's "La Folia," transcribed by the master violin transcriber himself, Fritz Kreisler. It is from this piece that Rachmaninoff gets his theme for the famous *Corelli Variations*. Haendel also plays a transcription—of a Nardini sonata—by Carl Flesch, her teacher. (She also studied with the great Romanian violinist and composer George Enescu.) Haendel is, among other things, a link to a golden past.

Her playing will obviously be too Romantic for some (shades of Renée Fleming). But there is not a vulgar note in these performances. Ida Haendel is tasteful, elegant, and self-assured, exploiting this literature for all it's worth, which, again, is a lot.

Also from Testament is an album reviving a figure essentially forgotten today. That is **Germaine Thyssens-Valentin**, a Dutch-born pianist who had more or less a French career. As a teenager at the Paris Conservatory, she won the Premier Prix. A few years later, however, she got married, and spent the next 25 years raising her children. After this hiatus, she resumed her career.

In it, Thyssens-Valentin paid particular attention to the music of Fauré—who had been director of the conservatory during her student days. The present album is devoted entirely to this composer, featuring an assortment of works, including a batch of Impromptus. We see that Thyssens-Valentin had many virtues as a pianist: technique (and an easy one), color (or rather, colors), and true refinement. She is modest without being mousy. She plays with great clarity, too, proving that Fauré need not be mush. In fact, we can hear in this playing the composer's national forebears: Rameau, Couperin, and other masters of the French Baroque.

Germaine Thyssens-Valentin is a rediscovery.

■ Finally, a little bit of fun (not that the above isn't fun): **Ian Bostridge**, the English tenor, has come out with a CD of . . . **Noel Coward** (on EMI). Bostridge has sung—and recorded—everything else, particularly everything that comes from England: Why not Coward? The program is divided into "Songs from the Twenties" and "Songs from the Thirties." These numbers contain a surprising variety: Some are novelty songs, and some are quite a bit better than that. All have an effect. Coward was a clever composer, and, as a lyricist, of course: beyond clever. He has a stylish and devoted interpreter in Ian Bostridge. Seldom has the old smoothie been treated so well. **NR**

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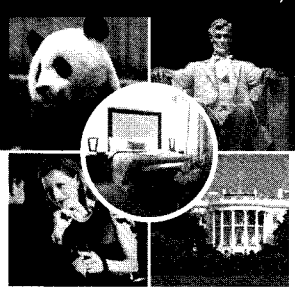

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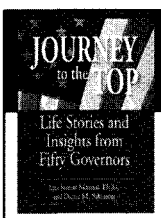

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November 2002

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WILLIAM F. BUCKLEY JR.

The War on Kissinger

NEW YORK, OCTOBER 18

THE desire to do something about Henry Kissinger is, for many, a popular pursuit; for some, an obsession. He is the enemy, for reasons many of them find obvious: He is a Harvard intellectual who served Richard Nixon intimately and survived. And of course he was at the right hand of the president for three years of the reviled war in Vietnam. Resentment is certainly fostered by facial expressions seen as registering Shylockean self-satisfaction, and verbal adroitness that sometimes seems to be bent on squaring circles, a demeanor that enemies will liken to that of the Vicar of Bray, and advocating what they see as Johnnie Cochran explaining the innocence of O. J. Simpson.

The latest expeditionary force against the enemy was initiated by Christopher Hitchens, a learned and resourceful moralist of exhibitionist inclinations who picks his enemies with brio and, a few years ago, undertook a book to the effect that Mother Teresa was a mountebank. The Kissinger offensive was done in *Harper's* magazine, and became a book. The call, no less, was to declare Henry Kissinger a war criminal and urge international courts to try him for, among other things, murder and kidnapping.

What then happened was that the BBC thought the whole idea cinematic, which it is: *The Trials of Henry Kissinger* is playing in art movie houses. Movie clips of Kissinger and the company he has kept, and the public-policy contentions in which he has figured, are abundant, and compliant in gathering together grand prosecutorial mosaics. The complaints are that Kissinger was culpable in illegal bombings of Cambodia resulting in 3 million deaths; in the invasion of East Timor by the Indonesian military resulting in 100,000 deaths; and in subverting 1968 peace talks which, if concluded, would have spared the 200,000+ lives lost before the Vietnam War's end in 1972.

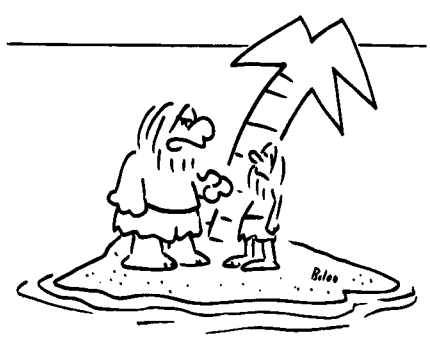
There isn't, of course, going to be any such war-crimes trial of Henry Kissinger—forget that, just to begin with. The man responsible for Vietnam and Cambodia was President Richard Nixon. The man responsible for East Timor is President Gerald Ford. Nixon is gone, but why isn't Hitchens calling for the trial of Gerald Ford as a war criminal? The answer is that Mr. Ford is not, so to speak, a photogenic war criminal, someone the sight of whom behind bars or swinging on a noose would give Jacobinical satisfaction. What is contemplated by the Hitchens offensive is, quite simply, denigration.

Henry Kissinger, in the Hitchens-BBC production, is called "the most conspicuous American statesman of the 20th century." That's true, as also the adage that the bigger they come the harder they fall. Kissinger's extraordinary ascendancy and his spectacular achievements rouse the iconoclastic spirits. In order to achieve the desired effects, the prosecution had to decry not only his policies, but his character. Thus it is said that he was ambitious—which is certainly true, as also of Abraham Lincoln. That he was duplicitous, dishonest, deceptive, and, strange to add, disloyal. If he was disloyal, why did he stick by Nixon until the end? And how explain that as soon as Nixon was out of office, President Ford immediately renewed Kissinger's franchise? There are people around who know something about Kissinger's loyalty who were not invited to testify in the BBC production.

If the book and the movie had settled for charging that Kissinger was from time to time detected speaking out of both sides of his mouth, the reader and viewer might have nodded and said: Yes: That is what diplomats are often called upon to do. Another word for it is: They negotiate. People who refuse to do that, meet the fate of Coriolanus.

Amazon.com lists 935 entries under "Nixon," and the wars will rage 100 years from now on the great events in which his secretary of state figured. Was the bombing of Cambodia a legitimate exercise of military power, in a contest in which no declaration of war had been voted? Was the shipment of arms to the generals in Indonesia an endorsement of the genocidal policies to which they were put? Was the shipment of arms to Chilean dissidents a warrant for the execution of a Chilean general?

These questions can be explored usefully, but not in phony theatrical arraignments done mostly for the satisfaction of people engaged in private wars against Henry Kissinger. A Canadian reviewer of the Kissinger film wrote wryly, "If one considers Dr. Kissinger's policies of accommodation with various Communist powers, it would be easier to suggest he is a peace criminal." The historic view that will prevail is that he was the most consistent and resourceful anti-Communist on the scene during a decade in which two presidents sought out his counsel, and the republic profited from it.



"Oh, yeah? Well, I'm giving you exactly 24 hours to remember *the punch line."*

Outgrowing the U.N.

NEW YORK, OCTOBER 25

FOLLOW this one. Immediately after President Bush was inaugurated, he wooed Vicente Fox. President Fox was (is) the glamorous figure south of the border, something of a hero for having defeated the reigning party in Mexico, which had ruled happily and corruptly ever since winning the long revolutionary struggle to install democracy 70 years ago. Bush was motivated by sound regional instincts, seeking a close association with the land south of the border, and it didn't hurt that he had got a near plurality of the Texan Hispanic vote in the election. Anyway, Bush and Fox became, in the language of British schoolboys, BBCs—Best Boy Chums.

But then came 9/11, and the vector of presidential energy turned to Iraq. Over the months we have had news of Sr. Vicente's disillusion. He had put together a packet of reforms of a kind he'd have identified as clinching U.S.-Mexican friendship. They had to do, of course, with the matter of Mexicans traveling to the United States, seeking in many cases to become American citi-

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zens. Short of that, to work here, be educated here, and to be cared for here in matters of health.

What has happened is that in order to express Mexican coolness over the distraction of the U.S. president, Mexico is threatening to vote with the wrong people in the forthcoming U.N. resolution on Iraq. Specifically, the Mexican ambassador is talking about the virtues of the alternative French proposal. It is to insist on progressive resolutions. The first would authorize a resumption of inspections in Iraq for forbidden things, like poisons and nuclear weapons. Only if that inspection were unsuccessful or inconclusive would a second resolution authorizing military action be considered. That contingent, and emasculating approval of planned United States policies in Iraq, is what France and Russia are demanding, and of course they both have the veto power.

Aware of this, the U.S. is greatly stressing, under diplomatic cover, the need to get a rousing vote from those countries in the Security Council who are there rotationally, without a veto. We are pretty confident we'll have support from Bulgaria, Colombia, Guinea, and Norway, and we are hopeful about Cameroon and Singapore. Ireland and Mauritius are dicey, and of course we'd be losing Syria, which is no surprise. If we were planning to invade South Dakota, we couldn't count on help from North Dakota.

In 1975, the United Nations General Assembly voted to declare that Zionism was racism. That declaration (rescinded in 1991) was one hell of a shock, with implications that included sending Daniel Patrick Moynihan to the U.S. Senate, to celebrate his eloquent and outraged rebuke, as American ambassador, of the racism vote. Mexico voted the anti-Israel line, and a few weeks later the Mexican tourist business all but closed down: The American Jewish community decided to take action of its own, and a legion of planned meetings and visits to Mexico by Jewish organizations were cancelled. (Mexico got the word, and crawled back, denouncing the declaration it had voted for).

All of which highlights the continuing peril of banking on United Nations approval. The rhetoric of 1990, used by the senior Bush administration, was historically reckless. Pleading for approval by the U.N. of the proposed military action to oust Iraq from Kuwait, there were suggestions that unless the U.N. vote favored the action, we would not undertake it. The U.N. did, and Congress did, though narrowly.

We have got to live with the historical implications of our preeminence in world affairs. Policies initiated by the president and approved by Congress cannot be subordinated to parliamentary allocations of power arrived at in 1945 (why a French veto power, not a Japanese or German?). If it is the consolidated judgment of democratically elected U.S. leadership that Saddam Hussein must be tamed, it is irrelevant what the Security Council of the United Nations does.

We would benefit more in the long term if the French (or Russians) did veto the desired resolution, so that by proceeding against Iraq we would simultaneously destroy the aggressive power of Saddam, and the passive power of the U.N.

The Pot War Boiling

NEW YORK, OCTOBER 29

As often as not, democracy sucks. But on the question of marijuana laws, the good sense of the people is doing yeoman work. *Time* magazine explores the marijuana question in a cover story which ends by saying that in America, "politics has leaped well ahead of the science, meaning voters will decide long before physicians whether medical marijuana is an oxymoron."

That of course—does marijuana help some people who are sick?—is a narrow part of the question. Forty-seven percent of the public have tried marijuana at least once (that figure was 31 percent 20 years ago), 80 percent think adults should be able to use marijuana legally for medical purposes, and 72 percent believe that people arrested for possessing small amounts of marijuana should be fined, not jailed.

Reflect on the interchange in the last two figures, and on another figure not given. If 80 percent of Americans believe that THC should be legal for sick people, and almost as many (72 percent) think it should be penalized for use by non-sick people only by fine, not prison, or electrocution, how many probably believe, or are about to believe, in legalization? If the public takes so solid a move in the easygoing direction away from prison sentences, is reform far away?

The major battleground next week is in Nevada, where people will vote on Question 9. If the vote is affirmative, in 2004 a constitutional ratifying amendment will be on the ballot which would legalize pot, which is to say, permit 3-ounce packets of it to be sold with impunity. How much is three ounces? On that point, as on so many others raised by Question 9, there is disagreement. The pro-pot people claim that the allowance is only enough to make 80 joints. The antis insist it's enough to make 250 joints. That quarrel is in the nature of a liquor law that would permit 6 pints of booze per purchase or 18.

Although Nevada's Question 9 is most prominent, 8 states already allow the use of medical marijuana, 22 are oriented in that direction, and several have ballot initiatives which are relatively permissive. The movement presses against our northern frontier. Canada has relaxed its law on medical marijuana, as also Great Britain—and of course Amsterdam, which permits everything, including killing babies and old people.

There are two problems that don't disappear. The first is constitutional. In 1970, Congress passed the Controlled Substances Act, which forbids the possession or sale of marijuana. What then happened was referendums simply proceeding as though the federal act had never been passed. Inevitably, the feds moved in, as in California, and got a ruling to the effect that the federal law outpoints the state law.

The second problem is moral, the deep conviction by Christian men and women that to take marijuana is to commit sin. Many of those who take that position also vote for liquor prohibition, and give us here and there a dry county, or would vote for prohibition if it were once again offered as a constitutional amendment. What these people need to learn is that eschewing marijuana and forbidding it with the leverage of jail terms are two different things. The probability is that the fundamentalists will temporize in due course, as they run out of allies among the voters, who include the 47 percent who once tried it, mostly in their youth.

The scientific question—does pot harm?—is simply unsettled. It can be said that its ingestion has negative effects, and that there are positive effects. But experience is overwhelming the discussion, and it is teaching that however ill-advised it may be to take the drug, it is less well-advised to continue to arrest 10,000 people every week for a practice or indulgence of such exiguous social consequence.

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DAVID FRUM

Secrets Out

On the evening of December 3 last year, the Bush administration learned of an alarming leak. At midnight, the largest Muslim charity in the United States, the Holy Land Foundation of Richardson, Texas, would be formally listed as a terrorist-linked organization. Federal agents would then raid the foundation's offices and seize its papers. Now, only a dozen hours before the raid, the phone was ringing. The *New York Times* was on the other end of the line. Somebody had tipped them off. They intended to post the news about the foundation on their website immediately.

The organizers of the raid pleaded with the paper to postpone its report. We are dealing, they said, with some very dangerous people. Warning of the raid could jeopardize the lives of federal agents. At a minimum, the *Times*'s leak would give the foundation time to destroy incriminating documents."Won't this be just as good a story tomorrow morning?" the Bushies asked.

Apparently not. The *Times* decided it was prepared to risk the lives of federal officers to have its scoop. The White House ordered an internal investigation, but the leaker was never found.

I thought of this story when I saw that Daniel Ellsberg had published a new memoir, on the eve of what may be a war with Iraq. Remember Ellsberg? He was the man who leaked the Pentagon Papers in 1971, and three decades later he is still urging high officials to betray the nation's secrets to advance a political agenda.

"If people in the administration and the Pentagon can hear me, indirectly or directly," Ellsberg said in the *San Francisco Chronicle* on Oct. 23, "I urge them to consider . . . [,] if they know, from documents passing their hands, that the country is being deceived into a reckless war, . . . going to Congress with the documents, and to the press . . . "

Somebody must be listening to him. In July, the *Times* published a front-page story describing a military plan for the invasion of Iraq from the north, south, and west. At a July 22 press conference, Secretary of Defense Rumsfeld vowed to find and punish the leaker. "I think it is so egregious, so terrible, that I decided to have an investigation notwithstanding the cost."

Some cynics suggested that the leak was an act of disinformation intended to throw the Iraqis off balance. Let's hope so—because the awkward truth is that authentic leakers are seldom caught and even more seldom punished.

In 1971, the *Times*'s then-publisher Arthur "Punch" Sulzberger agonized over publishing the Pentagon Papers. Sulzberger was worried less by the harm the Pentagon Papers might do to the country, than by the potential legal danger to the *Times*. Sulzberger was a surprisingly simple man, and he just assumed that something very bad would happen to a newspaper that defied the classified stamps on thousands of official documents and broadcast to the world America's innermost secrets.

Was he wrong! Law professors sometimes entertain their students with antique statutes that nobody has bothered to expunge decades after they lost all meaning—I remember one that forbade the grazing of cattle on Boston Common. But equally interesting are the laws you would expect to be there, but aren't.

You might think it's against the law to publish top-secret documents. It's not. You might think it's illegal to receive top-secret documents and pass them on. Again: It's not. Government employees have a duty to protect secrets in their care. Beyond that, so long as he is not actually spying for a foreign power, no American has any legally enforceable duty to his government's security.

Does this matter? Not according to our journalists. For them, the right to leak is one of the bulwarks of American democracy, alongside trial by jury and freedom of worship. When President Clinton two years ago proposed to increase penalties for leakers, William Safire accused him of seeking "the weapon that so many dictatorships use to stifle dissent and hide misdeeds."

Um, maybe. But mightn't easy access to potentially lethal information about America's vulnerabilities also be a useful weapon for dictators?

Many democratic countries, including Britain, Canada, and Australia, have official secrets acts that protect military and intelligence information. Under these laws, it's not only illegal to give away secrets. It's illegal also to receive and publish them.

Yes, official secrets acts are sometimes abused. My own father-in-law, Peter Worthington, is the only person ever to have been prosecuted under the Canadian Official Secrets Act. How did he achieve this distinction? By exposing the extent of Soviet espionage in Canada—and the Canadian government's lax response to it. (My father-in-law was quickly acquitted—rather *too* quickly for his taste. When he and the publisher of his newspaper stepped out of the courtroom, they were asked how they felt about the result. The publisher said that he was satisfied, but that his co-defendant wanted to appeal.)

A Canadian-style official secrets act would be unconstitutional in the United States, and a good thing too. The U.S. government classifies too many things too thoughtlessly. But I doubt that the Supreme Court would strike down a secrets law that applied only to very specific categories of super-sensitive information, such as military plans. Even in the Pentagon Papers case, the Supreme Court reaffirmed the old rule that the press could be restrained from publishing the departure times of troop ships.

Open government is an American ideal. But some advocates of open government sound more like *Saturday Night Live* parodies than like rational libertarians. The Naderite group OMB Watch, for example, has complained that the Federal Aviation Authority's website no longer specifies deficiencies in airport security and that the Department of Transportation no longer identifies which gas pipelines would explode with the greatest force.

As the war on terror enters its second year, it gets harder and harder to remember that it is a war, and not a metaphor. So maybe we do owe Daniel Ellsberg thanks after all for reminding us at a crucial time that information is a weapon that can lose wars, as well as win them. **NR**

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Can the World's Largest Debtor Long Remain a Global Superpower?

Since the 1980s, America has earned less than it spends. At first, the difference was made up by drawing down national savings. Once our savings were depleted, America relied on foreign borrowing. This process shifted the United States from being the world's largest creditor to being the world's largest debtor.

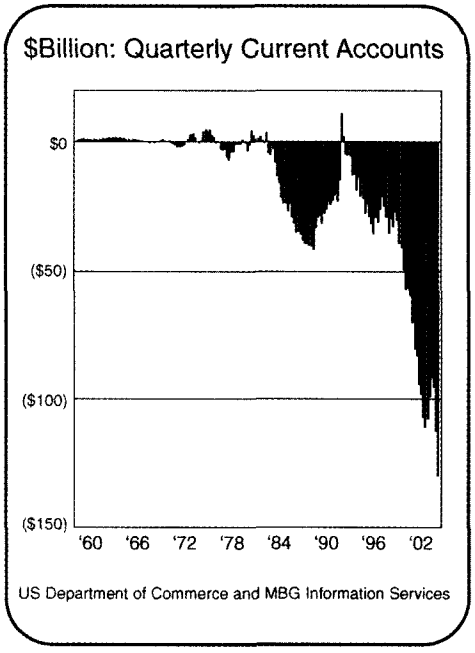
Today, the U.S. owes $2.5 trillion more to foreign creditors than they owe to us, and this debt promises to grow much larger rapidly unless present U.S. policies are changed.

As this debt rises, so too does the cost of servicing it. More important, America is increasingly dependent on others to finance an economy that continues to produce far less than it consumes.

And even for America, ultimately there are limits to how much it can borrow from the rest of the world.

The source of America's foreign debt is its trade deficit.

Every day, seven days a week, America imports $1.3 billion more in goods, services and other current accounts than it exports. Of this, the trade deficit in manufactured goods is by far the largest part, exceeding $1 billion every day.



The solution to America's worsening foreign debt is to eliminate this trade deficit. And the best way to do this is not by lowering our living standard but by expanding our domestic manufacturing base.

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